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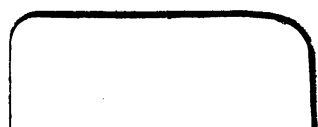
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Canada Collection
Nova Scotia



THE
STATUTES OF NOVA SCOTIA,

4720
PASSED IN THE

FIFTH YEAR OF THE REIGN OF HIS MAJESTY

KING EDWARD VII.,

Being the Fourth Session of the Thirty-Third
General Assembly convened in the
said Province.



HALIFAX, N. S.:
COMMISSIONER OF PUBLIC WORKS AND MINES,
KING'S PRINTER,
1905.

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TABLE

OF THE

STATUTES OF NOVA SCOTIA,

5° EDWARD VII.,

1905.

PUBLIC STATUTES.

TITLES.

CAP.	TITLES.	PAGE.
1.	An Act relating to the Halifax and South Western Railway Company, and the Halifax and Yarmouth Railway Company, Limited, and the Middleton and Victoria Beach Railway Company, Limited	1
2.	An Act to authorize the granting of aid to the Construction of a Railway from St. Peter's to Louisburg.....	4
3.	An Act respecting the Claims of Municipalities for Refund of Eastern Extension Railway Land Damages.....	5
4.	An Act to amend Chapter 99, Revised Statutes, 1900, entitled, Of Railways	6
5.	An Act to enable Municipalities to assist in supplying Polling Districts with Seed Grain....	6
6.	An Act to amend Chapter 165, Revised Statutes, 1900, Of appointment of Counsel for Criminal Proceedings	8
7.	An Act to provide for the guarantee of the Glace Bay Water Extension Debentures.....	8
8.	An Act to amend Chapter 44, Revised Statutes, 1900, Of the Nova Scotia Hospital	9
9.	An Act to amend Chapter 47, Revised Statutes, 1900, Of Local Hospitals.....	17

CAP.	TITLES.	PAGE.
10.	An Act to amend Chapter 8, Acts of 1902, entitled, An Act to amend the Nova Scotia Companies' Act, 1900	18
11.	An Act to amend Chapter 33, Revised Statutes, 1900, Of Stipendiary Magistrates	18
12.	An Act to amend Chapter 1, Acts of 1903-4, entitled, An Act to amend Chapter 91, Revised Statutes, 1900, entitled, Of the Protection of Woods against Fires	20
13.	An Act to amend Chapter 2, Acts of 1903-4, amending Chapter 19, Revised Statutes, 1900, The Coal Mines Regulation Act.....	24
14.	An Act to amend Chapter 19, Revised Statutes, 1900, The Coal Mines Regulation Act	25
15.	An Act to amend Chapter 18, Revised Statutes, 1900, Of Mines and Minerals	26
16.	An Act to amend Chapter 16, Acts of 1903-4, entitled, An Act to amend Chapter 56, Acts of 1903, entitled, An Act to amend the Judiciary Act.....	27
17.	An Act to amend Chapter 162, Revised Statutes, 1900, The Jury Act	28
18.	An Act to legalize Jury Panels, Assessment Rolls and Revisers' Lists for 1905.....	29
19.	An Act to amend Chapter 52, Revised Statutes, 1900, The Education Act.....	30
20.	An Act to amend Chapter 54, Revised Statutes, 1900, entitled, Of the Education of the Blind	31
21.	An Act to amend Chapter 5, Revised Statutes, 1900, the Nova Scotia Election Act	32
22.	An Act to amend Chapter 5, Revised Statutes, 1900, Of Elections	32
23.	An Act to amend Chapter 4, Revised Statutes, 1900, of the Electoral Franchise, and to amend Chapter 5 of said Revised Statutes, the Nova Scotia Election Act	33
24.	An Act to amend Chapter 4, Revised Statutes, 1900, the Nova Scotia Franchise Act	34
25.	An Act to amend Chapter 4, Revised Statutes, 1900, entitled, the Nova Scotia Franchise Act	35
26.	An Act to amend Chapter 73, Revised Statutes, 1900, entitled, the Assessment Act.....	37
27.	An Act relating to the appointment of Assessors and the Assessment of Property in Municipalities	37

CAP.	TITLES.	PAGE.
28.	An Act to amend Chapter 37, Acts of 1903-4, entitled, An Act to amend Chapter 73, Revised Statutes, 1900, entitled, the Assessment Act, and to amend Chapter 33, Revised Statutes, 1900.	39
29.	An Act to amend Chapter 70, Revised Statutes, 1900, the Municipal Act.	40
30.	An Act to amend Chapter 71, Revised Statutes, 1900, the Towns' Incorporation Act.	40
31.	An Act to amend Chapter 171, Revised Statutes, 1900, the Mechanics' Lien Act.	42
32.	An Act to amend Chapter 36, Revised Statutes, 1900, the Coroner's Act.	43
33.	An Act to amend Chapter 28, Revised Statutes, 1900, the Sheriff's Act.	44
34.	An Act to amend the Liquor License Act.	45
35.	An Act to amend Chapter 4, Acts of 1903-4, entitled, An Act relating to Loan Corporations.	45
36.	An Act to amend Chapter 125 of the Revised Statutes, 1900, the Lunacy Act.	46
37.	An Act to amend Chapter 105 of the Revised Statutes, 1900, the Dental Act.	46
38.	An Act further to amend the Game Act.	47
39.	An Act to provide for the organization of Fishermen's Unions.	50
40.	An Act to amend Chapter 118, Revised Statutes, 1900, of the transfer of Immigrants and Orphan Children.	53
41.	An Act relating to offences against Religion.	55
42.	An Act to amend Chapter 62, Revised Statutes, 1900, Of the protection of the growth of Cranberries.	55
43.	An Act to amend Chapter 46, Acts of 1903-4, entitled, An Act to provide for the formation of Mutual Insurance Companies.	56
44.	An Act to amend Chapter 153, Revised Statutes, 1900, Of certain Trust Companies.	56
45.	An Act to amend Chapter 131, Revised Statutes, 1900, entitled, Of Library Associations and Institutes.	57
46.	An Act to provide for defraying certain expenses of the Civil Government of the Province ...	58

LOCAL ACTS.

CAP.	TITLES.	PAGE.
47.	An Act in relation to the City of Halifax.....	65
48.	An Act to enable the City of Halifax to borrow Money (Short term Debentures)	70
49.	An Act to enable the City of Halifax to borrow Money (Long term Debentures).....	71
50.	An Act to amend the City Compulsory School Act, 1899.....	72
51.	An Act in respect to a Consolidated Fund for the City of Halifax	73
52.	An Act to amend the Liquor License Act so far as the same relates to the City of Halifax...	78
53.	An Act to amend Chapter 26, Acts of 1881, entitled, An Act to vest the Court House of Halifax in Commissioners, and for other purposes, and Chapter 67, Acts of 1899, in amendment thereof.....	80
54.	An Act to amend Chapter 52, Acts of 1902, in relation to the Appointment of a Second Medical Officer for the City of Halifax.....	81
55.	An Act to change the Name of a Settlement in the County of Halifax.....	81
56.	An Act relating to the Assessment of Manufacturing Industries in the Municipality of Halifax.....	82
57.	An Act to amend Chapter 67, Acts of 1898, entitled, An Act to amend Chapter 77, Revised Statutes, Of Highway Labor, so far as it relates to the County of Halifax.....	83
58.	An Act to amend Chapter 56, Acts of 1902, entitled, An Act to consolidate the Acts relating to the Town of Dartmouth.....	84
59.	An Act to amend Chapter 174, Acts of 1903, entitled, An Act to incorporate the City of Sydney	86
60.	An Act to Confirm the Assessment Roll and Rate Book of the City of Sydney for the year 1904	91
61.	An Act respecting the assessment of the Dominion Coal Company, Limited, in the city of Sydney	92
62.	An Act to enable the City of Sydney to exempt from taxation the buildings, machinery and stock of the Canada Nail and Wire Works, Limited.....	93

	TITLES.	PAGE.
CAP.		
63.	An Act to enable the Town of North Sydney to borrow money	93
64.	An Act to enable the Town of North Sydney to grant a Bonus and Exemption from Taxation to the North Sydney Marine Railway.....	95
65.	An Act to enable the Town of Glace Bay to Borrow Money	97
66.	An Act to amend Chapter 69, Acts of 1903-4, entitled, An Act to enable the Town of Glace Bay to Borrow Money	100
67.	An Act relating to the Extension of the Water Supply in the Town of Glace Bay	101
68.	An Act to amend Chapter 92, Acts of 1903, entitled, An Act relating to Partial System of Sewerage in the Town of Glace Bay	108
69.	An Act to enable the Town of Glace Bay to Appoint a Board of Assessors	108
70.	An Act to Legalize and Confirm the Revised List of Voters and Assessment Roll of the Town of Glace Bay, for 1905	109
71.	An Act relating to Employers of Labor in the Town of Glace Bay, to assist the said Town in obtaining names of Persons liable for Poll Tax	110
72.	An Act to enable the Municipality of Cape Breton County to Borrow Money to Pay Small-pox Accounts	111
73.	An Act to empower the Municipality of Cape Breton to Borrow Money for the Building of an Asylum for its Harmless Insane	112
74.	An Act to amend An Act of the present session, entitled, An Act to enable the Municipality of the County of Cape Breton to Borrow Money to pay Small-pox Accounts	115
75.	An Act to enable the Municipality of Cape Breton County to Borrow Money by Resolution of Council	115
76.	An Act to Legalize and Confirm the Findings of the Commission appointed under Chapter 74, Acts of 1903-4	116
77.	An Act to change the Name of a Settlement in the County of Cape Breton	118
78.	An Act to enable the Municipality of the County of Antigonish to Borrow Money	118

CAP.	TITLES.	PAGE.
79.	An Act to permit the Overflowing of Hamilton Marsh in the County of Colchester	120.
80.	An Act to enable the Town of Truro to Borrow Money	120.
81.	An Act to enable the Town of Truro to Borrow Money	122.
82.	An Act to enable the Town of Amherst to Borrow Money for School Purposes	123.
83.	An Act to enable the Town of Amherst to Borrow Money for the Extension and Improvement of the Water Works System of the Town	125.
84.	An Act to enable the Town of Oxford to take over Property vested in the Fire Commissioners of the Town of Oxford and for other purposes	128.
85.	An Act to define the Boundaries of the Pugwash Fire District and to amend Chapter 85, Acts of 1902, entitled, An Act to enable the Municipality of Cumberland to assess the Pugwash Fire District for certain purposes..	131
86.	An Act to authorize the Town of Springhill to Borrow Money to pay Maturing Debentures.	132.
87.	An Act to provide for the Payment by the Town of Digby of Certain Borrowed Money for School Purposes	133.
88.	An Act to Confirm the Sale of the Freeport Common	135.
89.	An Act to provide for the Supplying of the Town of Hantsport with Water.....	135.
90.	An Act to Legalize the Panel of Grand Jurors for Hants County	144.
91.	An Act to amend Chapter 94, Acts of 1903-4, entitled, An Act to Repeal Chapter 78, Revised Statutes, 1900, Of Commissioners of Streets and Surveyors of Highways in so far as it relates to the Municipality of West Hants, and to substitute therefor Chapter 67, Acts of 1898, with amendments	145.
92.	An Act to authorize the Town of Inverness to Borrow Money for School Purposes.....	146.
93.	An Act for Supplying the Town of Inverness with Water	148.
94.	An Act to Confirm and Legalize the List of Voters and the Election of Members of the Town Council of the Town of Inverness....	157

CAP.	TITLES.	PAGE.
95.	An Act to Confirm the Assessment Roll and Rate Book of the Town of Inverness for the year 1904.....	158.
96.	An Act to amend Chapter 99, Acts of 1903-4, entitled, An Act to enable the Town of Port Hood to Borrow Money.....	159.
97.	An Act to Legalize the Assessment Roll of the Town of Port Hood for 1905.....	160.
98.	An Act to amend Chapter 81, Acts of 1900, entitled, An Act to enable the Municipality of Inverness to Borrow Money to pay Railway Damages	160.
99.	An Act to provide Aid for the Construction of a Railway in the County of Inverness.....	161
100.	An Act to provide a Polling Place for Smith's Island and Seal Island in the County of Inverness	164.
101.	An Act relating to Polling District No. 6 (Strathlorne) in the County of Inverness.....	165.
102.	An Act relating to the Town of Kentville.....	165.
103.	An Act relating to the Town of Kentville.....	166.
104.	An Act to enable the Trustees of Randville School Section Number 57, in the County of Kings, to sell certain Lands	167.
105.	An Act to amend Chapter 109, Acts of 1902, entitled, An Act to enable the Town of Wolfville to Borrow Money to Construct a System of Sewerage	168.
106.	An Act relative to the Oakland Common in the County of Lunenburg.....	169.
107.	An Act respecting Roads on Tancook Islands in the Municipality of Lunenburg	171
108.	An Act to enable the Trustees of School Section Number 69, in the District of Lunenburg and New Dublin to Borrow Money	172.
109.	An Act to authorize the Trustees of School Section Number 15, in the District of Lunenburg and New Dublin to Borrow Money for School Purposes	174.
110.	An Act respecting the Streets of the Town Plot of Chester.....	175.
111.	An Act respecting a Street in the Town Plot of Chester	180.
112.	An Act to amend Chapter 109, Acts of 1903, entitled, An Act to enable the Town of Pictou	

CAP.	TITLES.	PAGE.
	to Install and operate an Electric and Gas Plant, as amended.....	181
113.	An Act to enable the Trustees of School Section Number 13, River John, in the District of North Pictou, to Borrow Money.....	182
114.	An Act to amend Chapter 125, Acts of 1901, entitled, An Act to enable the Town of Liverpool to Borrow Money for acquiring a Public Square and erecting a Town Building.....	134
115.	An Act to amend Chapter 127, Acts of 1903-4, entitled, An Additional Act to amend Chapter 117, Acts of 1899, entitled, An Act to Provide for Supplying the Town of Liverpool with Electric Light.....	186
116.	An Act to amend Chapter 116, Acts of 1899, entitled, An Act to Provide for Supplying the Town of Liverpool with Water.....	187
117.	An Act to amend Chapter 123 of the Acts of 1903-4, entitled, An Act to enable the Municipality of the County of Queens to Borrow Money to pay Railway Damages.....	189
118.	An Act to authorize the Trustees of School Section Number 69, West L'Ardoise, in the County of Richmond, to Borrow Money.....	189
119.	An Act to change the Name of a Settlement in the County of Richmond.....	190
120.	An Act to authorize the Municipality of Shelburne to Borrow Money for Railway Damages, and Prescribing the Manner of Assessing the same.....	191
121.	An Act to create a Police Division in the County of Shelburne.....	192
122.	An Act to enable the Municipality of Shelburne to make By-laws and Regulations respecting the Streets of the Town of Shelburne crossed by the Halifax and South Western Railway.....	193
123.	An Act to amend Chapter 170, Acts of 1903, entitled, An Act to enable the Trustees of School Section Number Nineteen in the Municipality of Shelburne to borrow money.....	194
124.	An Act to enable the Municipality of Barrington to make By-laws and Ordinances respecting the use of Woods Harbor Road.....	194

CAP.	TITLES.	PAGE.
125.	An Act to authorize the Municipality of Barrington to borrow money for Railway Damages and prescribing the manner of assessing the same	195
126.	An Act to enable the Municipality of Barrington to guarantee the Bonds of the Barrington and Cape Island Steam Ferry Company and authorizing such Bonds	196
127.	An Act to enable the Municipality of Victoria to exempt the North River Lumber Company from Taxation	198
128.	An Act to enable the Trustees of School Section Number One, Baddeck, in the County of Victoria, to borrow money	199

PRIVATE ACTS.

	TITLES.	
129.	An Act relating to the Nova Scotia Eastern Railway	205
130.	An Act respecting the Sale of Property of the Midland Railway Company, Limited.....	206
131.	An Act to amend Chapter 132, Acts of 1902, entitled, An Act to incorporate the Cape Breton Northern Railway Company, Limited	208
132.	An Act to amend Chapter 110, Acts of 1895, entitled, An Act to incorporate the Cape Breton Coal, Iron and Railway Company, Limited, and the Acts in amendment thereof	208
133.	An Act to amend Chapter 133, Acts of 1902, entitled, An Act to incorporate the Nova Scotia Northern Railway Company, Limited	209
134.	An Act to incorporate the British American Coal and Railway Company, Limited	210
135.	An Act to amend Chapter 146, Acts of 1903-4, entitled, An Act to incorporate the Davison Tramway Company, Limited.....	222
136.	An Act to incorporate the Gold River Mines and Power Company, Limited	223
137.	An Act to amend Chapter 140 of the Acts of 1902, entitled, An Act to incorporate the Minudie Coal Company	232

CAP.	TITLES.	PAGE.
138.	An Act to amend Chapter 181, Acts of 1903, entitled, An Act to incorporate the Port Hood, Richmond Railway Coal Company, Limited..	234
139.	An Act relating to the Nova Scotia Steel and Coal Company, Limited	235
140.	An Act to incorporate the Pictou Smelting Company, Limited	236
141.	An Act to incorporate the Bear River Steamship Company, Limited	245
142.	An Act to amend Chapter 179, Acts of 1903, entitled, An Act to incorporate the Empire Trust Company, Limited.....	250
143.	An Act to amend Chapter 158, Acts of 1902, entitled, An Act to incorporate The Nova Scotia Fire Insurance Company.....	251
144.	An Act to further amend the Acts relating to the Acadia Fire Insurance Company	251
145.	An Act respecting The Pictou County Farmers' Mutual Fire Insurance Company	252
146.	An Act respecting the Kings Mutual Fire Insurance Company	253
147.	An Act respecting the LaHave Marine Insurance Company, Limited	254
148.	An Act to amend Chapter 184, Act of 1903-4, entitled, An Act respecting the Lunenburg Marine Insurance Company, Limited	259
149.	An Act to incorporate the Union Telephone Company, Limited	260
150.	An Act to amend Chapter 210 of the Acts of 1903, entitled, An Act to incorporate the Cumberland Telephone Company, Limited ..	268
151.	An Act to incorporate the Union Printing Company, Limited	269
152.	An Act to incorporate the Maritime Loan and Mortgage Company, Limited.....	273
153.	An Act to incorporate the Gazette Publishing Company, Limited	279
154.	An Act to incorporate the Cape Breton Stock Company, Limited	283
155.	An Act to incorporate the Stillman Mineral Springs Company, Limited.....	291
156.	An Act to exempt the Humphrey's Glass Company from Taxation.....	296

CAP.	TITLES.	PAGE.
157.	An Act relating to the Assessment of the Truro Knitting Mills Company, Limited	297
158.	An Act to amend Chapter 146, Acts of 1891, entitled, An Act to incorporate Rhodes, Curry & Company, Limited	298
159.	An Act to amend Chapter 191, Acts of 1903, entitled, An Act to incorporate the South Sea Sealing Company, Limited	298
160.	An Act to incorporate The Old English Fertilizers Company, Limited	300
161.	An Act to amend Chapter 155, Acts of 1900, entitled, An Act to incorporate the Chapman Double Ball Bearing Company of Canada, Limited	311
162.	An Act to amend Chapter 168 of the Acts of 1903-4, entitled, An Act to amend Chapter 148, Acts of 1902, entitled, An Act to incorporate the A. C. Thompson Company, Limited	312
163.	An Act to incorporate the Mechanics' Store Company, Limited, Glace Bay	312
164.	An Act to incorporate The Sydney Co-operative Society, Limited	315
165.	An Act to incorporate Desjardins & Company's French Club, Limited	318
166.	An Act to incorporate the Glace Bay Club	319
167.	An Act to incorporate The Halifax Amateur Boating Club	320
168.	An Act to amend Chapter 190, Acts of 1903-4, entitled, An Act to incorporate the Antigonish C. M. B. A. Hall Company, Limited	321
169.	An Act to incorporate Buller Lodge, Number 31, Provincial Workmen's Association, Stellarton	322
170.	An Act to incorporate The St. Patrick's Branch of the League of the Cross Total Abstinence Society, Bridgeport, in the County of Cape Breton	323
171.	An Act to incorporate the St. Patrick's Branch of the League of the Cross Total Abstinence Society, Sydney, in the County of Cape Breton	326
172.	An Act to incorporate the Sydney Lyceum Club	329
173.	An Act to incorporate the Centreville Hall Company	333

TITLES.

CAP.		PAGE.
174.	An Act to incorporate the Tiverton Hall Company	334
175.	An Act to incorporate the Yarmouth Young Men's Chistian Association	336
176.	An Act to incorporate the Sydney Mines Young Men's Christian Association	338
177.	An Act to exempt Salvation Army Rescue Homes from Taxation	339
178.	An Act respecting the Registration of a Certain Deed from Gideon I. Wood to Benjamin Wood	340
179.	An Act to vest Certain Real Estate in Fuller Lodge, No. 5, Independent Order of Odd-fellows	341
180.	An Act to incorporate Harbor Light Lodge Independent Order of Oddfellows, of Wood's Harbor, Shelburne County	342
181.	An Act to incorporate the Sydney Carnival Association	343
182.	An act to incorporate the City of Sydney Improvement Association	345
183.	An Act to amend Chapter 170, Acts of 1889, entitled, An Act to incorporate the Hillside Cemetery Company of Springhill	348
184.	An Act to incorporate the Middle South Cemetery Company, of Lunenburg County ..	349
185.	An Act respecting the Little Dutch Church and Cemetery	351
186.	An Act to amend Chapter 22, Acts of 1903-4, entitled, An Act to incorporate the Woodlawn Cemetery Company, of Halifax County	352
187.	An Act relating to the Lake Cemetery Company	353
198.	An Act to amend Chapter 127, Acts of 1886, entitled, An Act to incorporate the Trustees of the First Baptist Church, Spring Garden Road, Halifax	356
189.	An Act to amend Chapter 98, Acts of 1875, entitled, An Act to incorporate the Trustees of West Truro Presbyterian Congregation ..	356
190.	An Act to incorporate the Trustees of Union Church, Indian Pond, Lunenburg County ..	357
191.	An Act to incorporate the Trustees of St. Luke's Presbyterian Church, Big Glace Bay	358

	TITLES.	
CAP.		PAGE.
192.	An Act to amend Chapter 102, Acts of 1885, entitled, An Act relating to Park Street Presbyterian Church, Halifax	361.
193.	An Act to amend Chapter 178, Acts of 1898, entitled, An Act to incorporate the Managing Committee of the Coburg Road Presbyterian Church, Halifax, and to change the name of said Church.....	361.
194.	An Act to incorporate the Trustees of St. Paul's Presbyterian Church, Glace Bay.....	362.
195.	An Act to enable the Trustees of Chalmers' Church, Halifax, to sell Property.. ..	366.

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Friday, the tenth day of February, A. D. 1905, in the fifth year of the reign of our Sovereign Lord EDWARD THE SEVENTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, being the Fourth Session of the Thirty-Third General Assembly convened in the Province.

*In the time of His Honour the HONOURABLE ALFRED GILPIN JONES, Member of the King's Privy Council for Canada, Lieutenant Governor; The Honourable Manson H. Goudge, President of the Legislative Council; Edward M. Farrell, Speaker of the House of Assembly; George H. Murray, Provincial Secretary; and George W. Kyte, Clerk of the House of Assembly.

CHAPTER 1.

An Act relating to the Halifax and South Western Railway Company, and the Halifax and Yarmouth Railway Company, Limited, and the Middleton and Victoria Beach Railway Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Transfer of Halifax and Yarmouth Railway.
2. Advance to Halifax and South Western Railway Co.
3. Mortgage to secure advance.
4. Transfer of Middleton and Victoria Beach Railway.
5. Advance to Halifax and South Western Railway Co.

SECTION.

6. Mortgage to secure advance.
7. Property to be subject to previous mortgage.
8. Railways transferred to become part of Halifax and South Western Railway.
9. Cash bonus to be cancelled.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The Halifax and Yarmouth Railway Company, Limited, is authorized to sell and transfer to the Halifax and South Western Railway Company, and the said Halifax and South Western Railway Company is authorized to purchase and acquire all the undertaking, franchises and real and personal property of whatsoever kind or description and wheresoever situate of the said Halifax and Yarmouth Railway Company, Limited.

Transfer of
Halifax and Yarmouth Railway

Advance to Halifax and South Western Railway Co.

2. For the purpose of aiding the said purchase and transfer, the Governor-in-Council is authorized to advance to the Halifax and South Western Railway Company the amount represented by a sum not exceeding thirteen thousand five hundred dollars per mile of the railways of the Halifax and Yarmouth Railway Company, Limited, in provincial debentures or stock issued under the provisions of Chapter 15 of the Revised Statutes of 1900, "Of Provincial Loans" at par, bearing interest at the rate of $3\frac{1}{2}$ per centum per annum, upon security of the said undertaking, franchises and real and personal property. The decision of the Governor-in-Council respecting the mileage of such railway shall for the purpose of this Act be conclusive, provided that the Governor-in-Council may at his option make said advance in cash instead of debentures or stock.

Mortgage to secure advance.

3. In consideration of the said advance, and in order to secure the repayment of any sum which may be so advanced, and interest thereon and every part thereof, the Halifax and South Western Railway Company shall grant, convey, assign, transfer, pledge and set over all the said undertaking, franchises and real and personal property by way of mortgage to His Majesty, represented in this behalf by the Honorable Commissioner of Public Works and Mines, upon such terms and conditions as the Governor-in-Council determines, and the Governor-in-Council is authorized to agree and settle upon said terms and conditions, and to accept the said mortgage. Such mortgage shall be a first charge and lien upon all the said undertaking, franchises, and real and personal property therein described and thereby conveyed, and shall have priority over all other mortgages and encumbrances thereon.

Transfer of Middleton and Victoria Beach Railway.

4. The Middleton and Victoria Beach Railway Company, Limited, is authorized to sell and transfer to the Halifax and South Western Railway Company, and the said Halifax and South Western Railway Company is authorized to purchase and acquire all the undertaking, franchises and real and personal property of whatsoever kind or description and wheresoever situate of the said Middleton and Victoria Beach Railway Company, Limited.

Advance to Halifax and South Western Railway Co.

5. For the purpose of aiding the said purchase and transfer the Governor-in-Council is authorized to advance to the Halifax and South Western Railway Company the amount represented by a sum which, including any moneys paid on account of subsidy under the provisions of Chapter 1 of the Acts of 1886, will not exceed ten thousand dollars

per mile of the railways of the Middleton and Victoria Beach Railway Company, Limited, in provincial debentures or stock issued under the provisions of Chapter 15 of the Revised Statutes of 1900, "Of Provincial Loans" at par, bearing interest at the rate of $3\frac{1}{2}$ per centum per annum, upon security of the said undertaking, franchises and real and personal property. The decision of the Governor-in-Council respecting the mileage of such railway shall for the purpose of this Act be conclusive, provided that the Governor-in-Council may at his option make said advance in cash instead of debentures or stock.

6. In consideration of the said advance and in order to secure the repayment of any sum which may be so advanced and interest thereon and every part thereof, the Halifax and South Western Railway Company shall grant, convey, assign, transfer, pledge and set over all the said undertaking, franchises, and real and personal property so purchased from the Middleton and Victoria Beach Railway Company, Limited, by way of mortgage to His Majesty represented in this behalf by the Honorable Commissioner of Public Works and Mines upon such terms and conditions as the Governor-in-Council determines, and the Governor-in-Council is authorized to agree and settle upon said terms and conditions and to accept the said mortgage. Such mortgage shall be a first charge and lien upon all the said undertaking, franchises, and real and personal property therein described and thereby conveyed, and shall have priority over all other mortgages and encumbrances thereon.

Mortgage to
secure advance.

7. Upon the transfer to the Halifax and South Western Railway Company by the Halifax and Yarmouth Railway Company, Limited, and the Middleton and Victoria Beach Railway, Limited, or either of them of their said undertaking, franchises and real and personal property, the same shall, subject to the said mortgages to His Majesty represented in this behalf by the Honorable Commissioner of Public Works and Mines, provided for in sections 3 and 6 of this Act, become and be subject to the mortgage made by the Halifax and South Western Railway Company to His Majesty the King represented and acting in that behalf by the Honorable Commissioner of Public Works and Mines for the Province of Nova Scotia, dated the twentieth day of August, 1901, and ratified and confirmed by Chapter 1 of the Acts of the Legislature of Nova Scotia for the year 1902, in all respects as if the said undertaking, franchises and real and personal property had been mentioned and specifically described therein.

Property to be
subject to pre-
vious mortgage.

Railway transferred to become part of Halifax and South Western Railway.

8. The said undertaking, franchises and real and personal property of the Halifax and Yarmouth Railway Company, Limited, and of the Middleton and Victoria Beach Railway Company, Limited, shall upon the completion of the respective sales and transfers thereof to the Halifax and South Western Railway Company as hereinbefore provided for respectively, be and become a part of the railway system of the Halifax and South Western Railway Company, and shall be subject to all enactments and regulations applicable to the Halifax and South Western Railway.

Cash bonus to be cancelled.

9. Upon the advance authorized by section 5 of this Act being made to the Middleton and Victoria Beach Railway Company, Limited, the cash bonus in aid of the construction of that company's line of railway authorized by Chapter 1 of the Acts of the Legislature of Nova Scotia for the year 1886, is hereby cancelled.

CHAPTER 2.

An Act to authorize the granting of aid to the Construction of a Railway from St. Peter's to Louisburg.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Authority to enter into contract.

SECTION.

2. Consent of Governor-in-Council to mortgage.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Authority to enter into contract.

1. The Governor-in-Council is authorized to enter into a contract with any company for the construction of a railway from St. Peter's, in the County of Richmond, to Louisburg, in the County of Cape Breton, and may grant to such company a cash subsidy not exceeding five thousand dollars per mile upon such terms and conditions as are deemed expedient.

Consent of Governor-in-Council to mortgage.

2. No mortgage, lien or other encumbrance, whether heretofore or hereafter created shall become a charge upon the railway so to be constructed, unless the consent of the Governor-in-Council is first obtained that such mortgage, lien or other encumbrance shall become a charge or be placed upon such railway.

CHAPTER 3.

An Act respecting the claims of municipalities for
refund of Eastern Extension Railway Land Damages.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

- Preamble.
1. Claims referred to commission.
2. Commissioners, how appointed.

SECTION.

3. Powers of Commissioners.
4. Duties of Commissioners.
5. Report of Commissioners.

Whereas, certain claims have been made, presented by Preamble.
the municipalities of Pictou, Antigonish, St. Mary's and
Guysboro, that certain moneys have been paid by them as
compensation to the owners for lands taken for the purposes
of the Eastern Extension Railway, so-called;

And whereas, the said municipalities claim that the said
amounts as paid should be re-imbursed to them by the
Government of Nova Scotia,

Be it therefore enacted by the Governor, Council, and
Assembly, as follows:—

1. The claims of the municipalities of Pictou, Anti- Claims referred
to commission.
gonish, St. Mary's and Guysboro that certain moneys paid
by them respectively as compensation to the owners for
lands taken or purchased for the purposes of the Eastern
Extension Railway, so-called, shall be referred to a
commission consisting of three persons holding judicial
appointments, for the final and conclusive determination
thereof.

2. The commissioners shall be appointed by the Commissioners,
how appointed.
Governor-in-Council.

3. The commissioners shall have all the powers that Powers of
commissioners.
may be conferred upon a commissioner under the provisions
of Chapter 12 of the Revised Statutes, 1900, "Of Inquiries
concerning Public Matters."

4. The commissioners in the investigation of the Duties of
commissioners.
matters referred to them shall not be bound by the strict
rules of evidence, but shall report upon the justice and
equity of the claims of the said municipalities respectively,
having regard to the intention of the parties to such pay-
ments respectively and to all the circumstances.

Report of
commissioners.

5. The commissioners shall report what sum, if any, the said municipalities respectively are justly and equitably entitled to receive from the Government of Nova Scotia.

CHAPTER 4.

An Act to amend Chapter 99, Revised Statutes, 1900, entitled, "Of Railways."

(Passed the 7th day of April, A. D., 1905.)

SECTION. 1. Railways in course of construction exempted from taxation.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Railways in
course of con-
struction
exempted from
taxation.

1. Chapter 99 of the Revised Statutes, of Nova Scotia, 1900, is amended by adding thereto the following clause:—

"308. Railways in course of construction or in operation under any Act of the Legislature of Nova Scotia or of the Dominion of Canada, are exempt from local taxation."

CHAPTER 5.

An Act to enable Municipalities to assist in supplying Polling Districts with Seed Grain.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Governor-in-Council may guarantee sum borrowed.
2. Authority to borrow.
3. Amount, how borrowed.
4. Guarantee, how made.

SECTION.

5. Notes binding on municipalities.
6. Regulations for sale of seed.
7. Lien on real property of purchaser.
8. Deficit rated upon district.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Governor in-
Council may
guarantee sum
borrowed.

1. The Governor-in-Council is authorized to guarantee the payment of principal and interest of any amounts borrowed by a municipality under the provisions of this Act.

2. The warden and clerk or treasurer of any municipality requiring a loan for the purpose of buying seed grain, are authorized to borrow on the credit of the municipality such sums as are required for the respective polling districts for that purpose, not, however, to exceed in any municipality the sum of fifteen thousand dollars.

Authority
to borrow.

3. The said amount may be borrowed in different sums and at different times on the security of the promissory note or notes of the municipality, signed by the warden and clerk or treasurer, payable in two years from date, with interest at rate not exceeding five per cent., payable half yearly.

Amount,
how borrowed.

4. The guarantee of the Governor-in-Council shall be signified by the Provincial Treasurer by writing his name across the face of such promissory notes.

Guarantee,
how made.

5. The said notes when so issued shall be binding upon the municipality and the province, and the lender shall not in any case be bound to inquire into the validity thereof beyond the genuineness of said signatures.

Notes binding on
municipalities.

6. The municipal council of any municipality making any such loan, shall provide for the purchase of seed grain for the several polling districts requiring the same, shall make regulations for the sale thereof in such polling districts and the terms and security on which the same shall be sold, provided, that in the case of any sale so made, the time of payment shall not exceed two years.

Regulations for
sale of seed.

7. Such municipal council shall have power to make the amounts due for such sales a lien on the real property of the purchaser and his indorser or indorsers, and shall prescribe the manner in which notice of such lien shall be given.

Lien on real
property of
purchaser.

8. Every such municipal council may rate upon any district the amount of any deficit in payment for the seed grain so sold in such district.

Deficit rated
upon district.

CHAPTER 6.

An Act to amend Chapter 165 Revised Statutes, 1900.—“Of appointment of Counsel for Criminal Proceedings.”

(Passed the 7th day of April, A. D. 1905.)

SECTION 1. Counsel in Criminal proceedings, how designated.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Counsel in
criminal proceed-
ings, how
designated.

Sub-section (c) of section one of chapter 165, Revised Statutes, 1900, is amended by adding the following words,—
“The Counsel appointed by the Attorney General to conduct criminal proceedings in any county in Nova Scotia shall be known and designated as the ‘prosecuting officer,’ and have all the powers and duties provided for such an officer by the Criminal Law of Canada.

CHAPTER 7.

An Act to provide for the guarantee of the Glace Bay Water Extension Debentures.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

Preamble.

1. Interest on debentures guaranteed.

SECTION.

2. Form of Guarantee.

Preamble.

Whereas, very extensive coal mining operations are carried on in the town of Glace Bay, in the County of Cape Breton ;

And whereas, owing to said operations, the natural supply of water is not available and the obtaining of an adequate supply of water by artificial means has been rendered difficult and expensive ;

And whereas, the area of the water district of said town has largely increased on account of recent mining developments, and the increased expenditure can only be met by borrowing money on extremely onerous terms ;

And whereas, it is desirable in the general interest of the

province, that the said coal mining operations should not be hindered or impeded by reason of the inability of said town to provide an adequate water supply;

Be it therefore enacted by the Governor, Council, and Assembly, as follows:—

1. It shall be lawful for the Governor-in-Council, to guarantee for a term not exceeding twenty years, the payment of the interest not exceeding the rate of four per cent per annum, on Glace Bay Water Extension Debentures, the face value of which shall not exceed one hundred and twenty-five thousand dollars, according to the tenor of such debentures. Interest on debentures guaranteed.

2. The said guarantee shall be in such form, and shall be given on such terms and conditions as are prescribed by the Governor-in-Council. Form of guarantee.

CHAPTER 8.

An Act to amend Chapter 44, Revised Statutes, 1900, "Of the Nova Scotia Hospital."

(Passed the 17th day of April, A. D., 1905.)

SECTION.

1. Section 8 added to.
2. Schedule substituted.

SECTION.

3. Forms to be amended.
- Schedule.

Be it enacted by the Governor, Council and Assembly, as follows:—

1. Section 8 of chapter 44 of the Revised Statutes, 1900, "Of the Nova Scotia Hospital," is amended by adding thereto the following sub-section:— Section 8 added to.

(2) In urgent or violent cases, where sufficient information is furnished to the medical superintendent to lead him to believe that delay in admission may be prejudicial to the patient, the medical superintendent may authorize such patient to be forwarded to the hospital without the said statement of particulars being first furnished, but in every such case the required statement of particulars, medical certificates, and warrant, shall be forwarded with the patient to the medical superintendent.

Schedule
substituted.

2. Form "A" in the schedule to the said chapter is struck out and the schedule to this Act substituted therefor.

Forms to be
amended,
Schedule.

3. The forms in the schedule to said chapter 44 may be from time to time amended, as may be ordered by the Commissioner of Public Works and Mines.

SCHEDULE.

FORM "A."

NOVA SCOTIA HOSPITAL.

STATEMENT.

The information asked for in the following questions should be given as fully as possible, going into careful detail in each instance. This is desired because it becomes a part of the patient's case-record after admission to the hospital, and it may be of the greatest assistance to the hospital staff in deciding upon the treatment to be followed. It would be well to have the attending physician assist in the preparation of the statement, if practicable.

The statement having been filled in and attested to, is to be forwarded to the medical superintendent of the hospital, and his reply must be awaited before proceeding any further towards the commitment of the patient. Read carefully the extracts from Revised Statutes annexed.

1. Name in full,
2. Residence, Birthplace,
3. Age, Birthday and year,
Religion,
4. Single, Married, Widowed or Divorced,
Age at Marriage,
5. Profession or Occupation which patient has followed
(if woman, without occupation, that of husband or father,)

6. Name and birthplace of father, Age
if living, Age at marriage,

7. Birthplace of mother, Age if
living, Age at marriage
Mother's maiden name,

8. If either of the patient's parents is dead state age at death and cause of death

9. Is there any degree of relationship between the patient's parents? If so, state fully what it is.

10. How many brothers and sisters of the patient are living? Ages of each,

11. How many brothers and sisters are dead? Age in each instance at time of death, and cause of death

12. How many children has patient had?

(a) Their ages if living

(b) If any are deceased, give age at death and cause of death

(c) Are the children healthy and well developed?

(d) Have any of them any mental or physical defects or any nervous disease?

(e) If patient is a female, was birth-act attended by any abnormal manifestations? If so, describe condition fully.

13. Have any of the ancestors of the patient, or any uncles, aunts or cousins been insane, or have they had any form of mental defect or peculiarity, or any nervous disease, nervous exhaustion, paralysis, epilepsy, hysteria, chorea, tic or habit spasm, or alcoholism, or other drug habit, etc.? State particulars fully in each case, and the degree of relationship, and whether paternal or maternal.

14. Have any of the relatives had tuberculosis, acute or chronic rheumatism, gout, eczema, kidney disease, diabetes, cancer, heart disease, rickets, goitre, pneumonia, typhoid fever, etc.?

15. Have any of the relatives been intemperate? If so, to what degree and how related?

16. If any of the relatives have been treated in a hospital for epilepsy or other disease of the nervous system or insanity, state what hospital and date, and the name of the patient so treated.

17. Was the patient born at full term? Was birth natural or aided by instruments?

18. Was the growth and development of the patient during infantile life regular and normal?

19. Was the patient as an infant and young child healthy, strong and well developed?

20. (a) At what age did the patient walk? (b) At what age did the patient talk?

21. At what age did the patient go to school?

22. Was there any peculiarity in patient's mental development as a child?

23. Was the patient as a child shy, retiring and seclusive, or the contrary?

24. What was the patient's attitude towards study, attentive or the reverse?

25. What were the favorite topics of study?

26. Did the patient learn readily?

27. What diseases of infancy and childhood has the patient had?

28. Was the patient as an infant and young child subject to night terrors?

29. Did the patient, at the teething period or subsequently, have fits of any kind? If so, describe them in full and state when (at what age) they occurred.

30. Has the patient ever suffered from any nervous disease, nervous exhaustion, paralysis, epilepsy, hysteria,

chorea, tic or habit spasm? State particulars fully in each case.

31. Has the patient ever suffered from tuberculosis, acute or chronic rheumatism, gout, eczema, kidney disease, diabetes, cancer, heart disease, syphilis, rickets, pneumonia, typhoid fever, or any infectious disease? Has he been troubled with sore throat, falling out of hair, ulcers on the legs, or skin rashes? A very full answer to these questions is especially desirable.

32. What other diseases has the patient had, and at what age? State their course and duration.

33. If patient has been delirious during any attack of illness, state when and what the illness was, and the character and duration of delirium.

34. Has the patient ever had (a) sun-stroke, or (b) any head injury or (c) any serious accident?

If there was loss of consciousness, state its duration.

State age at which these accidents occurred, and particulars in each case.

35. Did any of them leave any after-effects?
If so, what?

36. Has the patient been vaccinated?
When last?

37. What has been the patient's character and disposition as to: (a) steadiness and success at work
(b) mild or excitable (c) steady or rambling and vacillating
(d) impulsive (e) fanatic
(f) passionate (g) jealous
or (h) perverse or the contrary?

38. Has the patient exhibited any marked mental peculiarity, recently or in early life?

39. In case the patient has had any previous attack or attacks of mental or nervous disease, or periods of depression or unusual eccentricity, state the particulars in each instance as fully as possible. If treated in a hospital, state when and what hospital.

40. Was there any change in character and disposition previous to the present mental change?

41. What has been the patient's habits as regards sleep, when considered well? Has there been any recent insomnia?

42. What has been the patient's attitude toward religion and religious observances? Has there been any recent change?

43. What has been the patient's habits as to the use of:
(a) alcoholic stimulants, (b) narcotic drugs, opium, etc.?

44. What appears to have been the exciting cause or causes of the present attack? Was there, in addition to changes in general health, any mental or moral shock, any loss, great grief or disappointment, any overwork or overstrain?

45. State when the first symptoms preceding or accompanying this attack were observed, and describe them. For example, loss of appetite and flesh, sleeplessness, disturbances of general health. Pains should be taken to describe the earliest physical symptoms observed. If necessary go back several months prior to the occurrence of mental symptoms.

46. What were the first mental symptoms observed?
(a) Depression or excitement (b) lassitude or restlessness (c) talkativeness or reticence (d) obtrusiveness or seclusiveness (e) irritability, indecision or the contrary (f) loss of memory (g) defects in judgment (h) confusion, or (i) self-accusation?

47. When were these changes first noticed?

48. Have the mental changes been progressive and regular, or have they suddenly varied; the patient at times seeming much better or the contrary?

49. What are the changes which have taken place in patient's mental and physical symptoms since the commencement of the attack?

Note particularly any delusions (false ideas) or hallucinations (perversion of the sense of sight, hearing, etc.,) which the patient has had. It is important that changes in manner, habits and ideas which have occurred be stated, and:

as fully as possible. Also any changes in speech, habitual or frequent repetition of the same word or phrases, disturbance of vision, alteration of handwriting, difficulty of walking or change of gait, fainting or loss of consciousness, convulsive attacks, paralysis in any form, impairment of any muscle or set of muscles, or any twitching of limb or single muscles. Any fixed or habitual movements or attitudes?

50. Has the patient shown any appreciation of the changed mental condition?

51. Has suicide or violence to others been threatened or attempted? If so, in what way?

52. State fully any other facts bearing on the case, in the patient's past or present history.

53. What physicians have seen the patient during this attack? Give name and address in each instance?

54. How is the patient to be maintained at hospital? (By private means or as a municipal charge.)

55. Name post office and telegraphic address of relative or friend to whom letters are to be written or information sent?

56. Person giving above history sign name and full address.

I,..... make oath and say that to the best of my knowledge the foregoing particulars are correctly stated; and I hereby request that the above named.....whom I saw at..... on the.....day of.....(being within fourteen days from this date) be received as a person of unsound mind as a patient into the Nova Scotia Hospital.

Degree of relationship (if any) of person giving history, or other circumstances in connection with the patient. }

Sworn to before me, one of His
 Majesty's Justices of the
 Peace for the County of } Name
 }
 this day } Address
 of 190.... }

.....Justice of the Peace.

(EXTRACT FROM CHAP. 44, REVISED STATUTES OF NOVA
 SCOTIA, 1900, REFERRING TO THE MODE OF APPLI-
 CATION FOR ADMISSION OF A PATIENT TO
 THE NOVA SCOTIA HOSPITAL.

Section 7.—(1). When there is accommodation in the hospital, the Commissioner of Public Works and Mines shall, on application, grant orders for the admission of patients.

(2). He may in any case refuse to admit to the hospital,

(a) Persons who are idiotic, or

(b) Epileptic persons who are insane, but have not shown signs of violent insanity, or

(c) Insane persons who are not suicidal or dangerous to the life and property of others, or

(d) Persons who from long-standing insanity are not likely to be benefitted by treatment in the hospital.

Section 8. Before any person is forwarded for admission to the hospital a statement of particulars in the form A in the schedule shall be furnished to the Medical Superintendent, and his answer and approval shall be received.

Section 9.—(1.) The statement of particulars shall be signed and sworn to before a Justice of the Peace, by the husband or wife or by a relative of the insane person. If not signed by such husband, wife or relative, the statement shall set out the reasons why the statement is not so signed, and of the connection of the person who signed the statement with the insane person, and the circumstances under which he signed the statement.

(2.) No person shall sign such statement unless he is at least twenty-one years of age, and has within fourteen days before the application personally seen the insane person.

NOTE.—All letters of inquiry will receive a prompt reply. Severe illness or the occurrence of anything of moment will be immediately communicated. Stamps must be enclosed to prepay replies.

CHAPTER 9.

An Act to amend Chapter 47, Revised Statutes, 1900, "Of Local Hospitals."

(Passed the 7th day of April, A. D., 1905)

SECTION 1. Section 2 repealed and substituted.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Section 2 of Chapter 47 of the Revised Statutes, 1900, "Of Local Hospitals," as amended by Chapter 29 of the Acts of 1903, is repealed and the following section substituted therefor: Section 2 repealed and substituted.

"2. The Governor-in-Council is authorized to pay out of the Provincial Treasury in aid of any such hospital to the recognized governing board thereof a sum to be computed according to the following scale, that is to say,

(a) At the rate of thirty cents for each day's actual treatment and stay of a patient in such hospital during the fiscal year of the Province next preceding the year for which such aid is given until the amount of such aid reaches one thousand five hundred dollars;

(b) After such aid amounts to the sum of one thousand five hundred dollars, at the rate of twenty cents for every additional day's actual treatment and stay of a patient in such hospital during the said fiscal year."

CHAPTER 10.

An Act to amend Chapter 8, Acts of 1902, entitled "An Act to amend the Nova Scotia Companies' Act, 1900."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 2 amended.

SECTION.

2. Construction of amendment.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 2
amended.

1. Sub-section (1) of section 2, of Chapter 8, of the Acts of 1902, entitled, "An Act to amend the Nova Scotia Companies' Act, 1900," is amended by striking out the word "for" in the second last line thereof, and substituting therefor the words "at or before."

Construction
of amendment.

2. Said chapter 8, of the Acts of 1902, shall be construed as if this Act had been passed on the day of the passing of said Chapter 8, and all acts done and proceedings taken under and by virtue of the sub-section mentioned in the next preceding section are legalized, confirmed and validated as fully as if said sub-section had originally read as now amended.

CHAPTER 11.

An Act to amend Chapter 33, Revised Statutes, 1900, "Of Stipendiary Magistrates."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Chapter 33 amended.
2. Section 2 added to.

SECTION.

3. Jurisdiction of stipendiary magistrates.
4. Pending litigation not affected.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Chapter 33
amended.

1. Chapter 33 of the Revised Statutes, 1900, "Of Stipendiary Magistrates," is amended by striking out the word "County" and substituting therefor the word "Municipality" wherever the said word county is used in the said chapter, except in the fourth line of the fourteenth section.

thereof; and by inserting after the word "county" in the said fourth line of said fourteenth section the words "in which is situated the municipality."

2. Section 2 of said Chapter 33 is hereby amended by Section 2 added to. adding thereto the following section:—

(2) One or more additional stipendiary magistrates may be appointed for cities or incorporated towns who shall receive the prescribed fees, but any city or town council may at any time by resolution, grant to any such additional stipendiary magistrate an annual salary and receive such fees or any portion thereof as part of the revenue of the town.

3. Subject to the provisions of section 65, of Chapter 159, Jurisdiction of of the Revised Statutes, 1900, "The Municipal Courts Act," stipendiary magistrates. every stipendiary magistrate shall have and exercise throughout the whole of the county in which is situated the city, incorporated town or municipal district for which he is appointed, all the powers, jurisdiction and authority conferred upon stipendiary magistrates by Chapter 160, of the Revised Statutes, 1900, "Of Civil Procedure in Justices' Courts."

4. Nothing in this Act shall affect any pending litigation either criminal or civil. Pending litigation not affected.

CHAPTER 12.

An Act to amend Chapter 1, Acts of 1903-4, entitled, An
Act to amend Chapter 91, Revised Statutes,
1900, entitled "Of the Protec-
tion of Woods against
Fires."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 2 amended.
2. Section 13 repealed and substituted.
3. Section 17 amended.

SECTION.

4. Section 12, chapter 91, R. S., amended.
5. Husband or Wife competent witness.
6. Section 7, chapter 91, R. S., amended.

Be it enacted by the Governor, Council, and Assembly, as follows :

Section 2
amended.

1. Section 2 of Chapter 1 of the Acts of 1903-4, is amended by striking out the word "fifteen" in line four, and substituting therefor the word "ten."

Section 13
repealed and
substituted.

2. Section 13 of said Chapter 1 of the Acts of 1903-4, is repealed and the following substituted :

13. (1) The chief ranger appointed for any municipality shall, in addition to his other duties, on or before the first day of April in each year, assess upon the owners or occupants of timber lands or uncultivated lands, of five hundred acres, or more, an assessment equivalent to one quarter of one cent per acre upon each acre of land so owned or occupied.

(2) Such chief ranger shall, after making an assessment upon any person, firm or corporation so holding timber lands or uncultivated lands, serve a notice of such assessment upon the owner or his agent, or the occupant, if such owner cannot be found within the municipality; and such notice may be served by mailing the same, postage prepaid, addressed to such person, firm or corporation at his or its last known place of residence or business, but no such assessment shall be rendered invalid by failure to serve such notice.

(3) If no objection, in writing, to such assessment is made to the chief ranger within fifteen days of the service of such notice of assessment, such assessment shall be final.

(4) If the person, firm or corporation so assessed shall

file an objection to such assessment within fifteen days after service of notice of such assessment, the sheriff of the county in which is included the municipality over which the said chief ranger has jurisdiction, shall, upon application of the chief ranger, as soon as may be, appoint a day, of which the chief ranger shall give the party objecting ten days' notice, and upon proof that such notice has been given the sheriff shall proceed to hear the parties and determine whether such assessment is rightly made, and shall give his decision in writing, stating either that no such assessment shall be made upon the party complaining, or stating the amount assessable under the provisions of the law against such parties so complaining.

(5) After the sheriff has disposed of all cases of objections, the chief ranger shall make up a roll of all persons, firms or corporations liable to assessment and file a copy of the same in the office of the municipal clerk, and the amounts so assessed shall be due and payable to such ranger as soon as such assessment roll has been made up, and the chief ranger shall collect the same.

(6) In case any of the persons neglect or refuse to pay the amount so assessed within three months of formal demand of the amount so assessed against him or them, the chief ranger shall have the like powers and may pursue the like remedies as collectors of municipal rates under the provisions of Chapter 73, Revised Statutes, 1900, "The Assessment Act."

(7) All sums so collected by the chief ranger shall be paid by him, as soon as the same are collected to the municipal treasurer for the municipality in which he exercises the functions of chief ranger. Such chief ranger shall be entitled to deduct five per cent. of the amount collected as remuneration for collecting the same.

(8) The sums so paid by the chief ranger to the municipal treasurer shall be appropriated by the municipal council for the payment of the special expenses of the chief ranger, and persons employed by him in the protection of forests and the suppression of fires.

3. Section 17 of said Chapter one of the Acts of 1903-4, Section 17 amended. is amended by adding thereto the following:

Every person who neglects or refuses to comply with the provisions of this section shall be liable to a penalty of not

less than twenty nor more than one hundred dollars for each offence.

Section 12,
chapter 91,
R. S., amended.

4. Section 12 of Chapter 91, Revised Statutes, 1900, 'Of the protection of Woods against Fire,' is repealed and the following enacted in lieu thereof:

12 (1) Any penalty provided for by this chapter may be recovered either under the provisions of "The Summary Convictions Act," or in the County Court for any county as an ordinary debt in the name of any person who sues therefor.

(2) It shall not be necessary in any case to bring proceedings or suit for the recovery of any such penalty in the county in which such offence was committed, nor shall it be necessary to allege the offence to have been committed within any particular county, or on any particular day; but the time of committing the offence shall be sufficiently alleged if it is stated to have been committed within one year before the filing of the information or complaint, or the date of the issuing of the writ in the County Court.

(3) When an action to recover any such penalty is brought in the County Court the costs and fees shall be those prescribed in cases of debt in the County Court.

(4) Any penalty under the provisions of this chapter, when recovered, shall be paid one-half to the complainant, informant or prosecutor, and the other half to the treasurer of the municipal district in which the offence was committed, to be applied in the protection of forests and the suppression of fires in such district under the provisions of this chapter.

(5) Any judgment recovered in the County Court for any penalty may be enforced in the same manner as a judgment for an ordinary debt in such Court, and may be registered so as to bind the lands of the defendant.

(6) Notwithstanding anything in this chapter contained, in every case in which imprisonment is adjudged for any violation of this chapter, the person liable thereto may be imprisoned in the common jail in and for the county, district, municipality, city, incorporated town or place in which the conviction is made or in which the defendant resides, and the warrant therefor may be addressed to any of the constables for any such county, district, municipality, city, incorporated town or place in which the conviction is

made or the defendant resides, and shall be executed by any one of such constables.

5. The following sections are added to said Chapter 91, Husband or wife competent witness.
viz.:

19. Every person charged with any contravention of this chapter, and the wife or husband, as the case may be, of such person, shall be a competent witness, whether the person so charged is charged solely or jointly with any other persons. Provided, however, that no husband shall be compellable to disclose any communication made to him by his wife during their marriage, and no wife shall be compellable to disclose any communication made to her by her husband during their marriage.

20. No witness to any proceeding under this chapter shall be excused from answering any questions upon the ground that the answer to such question may tend to criminate him or expose him to any penalty under this chapter or otherwise, or may tend to establish his liability to a civil proceeding at the instance of the Crown or of any person; provided, however, that if with respect to any question the witness objects to answer upon the ground that his answer may tend to criminate him or expose him to any penalty under this chapter or otherwise, or may tend to establish his liability to a civil proceeding at the instance of the Crown or of any person, and if but for this section the witness would heretofore have been excused from answering such question then, although the witness shall be compelled to answer yet the answer so given shall not be used or receivable in evidence against him in any trial or any proceedings against him thereafter taking place, other than a prosecution for perjury in giving such evidence.

21. In every case in which no penalty is provided for any offence against this chapter, the penalty shall not be less than five nor more than twenty dollars.

6. Section 7 of said Chapter 91 is amended by striking out all the words after "netting" in the seventh line thereof, and substituting the following words therefor, "the size of the wire used in making the netting to be not less than number 13 Birmingham wire gauge or three thirty-second parts of an inch in diameter and the netting shall consist of not less than nine meshes to the square inch. The smoke stacks used shall be constructed of the newest and most improved pattern, the standard to be that of the Intercolonial Railway." Section 7, chapter 91, R. S., amended

CHAPTER 13.

An Act to amend Chapter 2, Acts of 1903-4, amending
Chapter 19, Revised Statutes, 1900, "The Coal
Mines Regulation Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 68 amended.
2. Section 69 amended.
3. Section 70 amended.
4. Section 71 amended.
5. Section 72 amended.

SECTION.

6. Section 93 repealed.
7. Section 95 amended.
8. Examination for competing.
Statements in application.
Act not to apply in certain cases.

Be it enacted by the Governor, Council, and Assembly,
as follows:—

Section 68
amended.

1. Section 68 of Chapter 2 of the Acts of 1903-4, is amended by substituting the word "three" for the word "two," in the third line thereof.

Section 69
amended.

2. Section 63 of said chapter is amended by substituting the word "three" for the word "two," in the third line thereof.

Section 70
amended.

3. Section 70 of said chapter is amended by substituting the word "three" for the word "two," in the third line thereof.

Section 71
amended.

4. Section 71 of said chapter is amended by substituting the word "three" for the word "two," in the second line thereof.

Section 72
amended.

5. Section 72 of said chapter is amended by substituting the word "three" for the word "two," in the second line thereof.

Section 93
repealed.

6. Section 93 of said chapter is hereby repealed.

Section 95
amended.

7. Section 95 of said chapter is amended by striking out the words "the commissioner or inspector, or deputy inspector," and substituting the words "any member of the board of examiners appointed under the provisions of this chapter," and by adding the following words at the end of said section: "Any member of the board granting any such special permit shall forthwith report thereon as directed by the commissioner."

8. The following sections shall be added to the Act :

Examination
for competing.

Section 99. Any person applying for a certificate of service or competency under this Act shall appear in person before the board and undergo an oral examination if the board deem it necessary.

Section 100. Any person applying for a certificate of service or competency shall affirm or swear to the correctness of his statement in his application as to the length of the periods of time he has been employed.

Statements in
application.

Section 101. None of the provisions of this Act shall apply to persons working mechanical haulage engines underground whose power is furnished by compressed air.

Act not to apply
in certain cases.

CHAPTER 14.

An Act to amend Chapter 19, Revised Statutes, 1900, "The Coal Mines Regulation Act."

(Passed the 7th day of April. A. D., 1905.

SECTION.

1. Additional division board of examiners.
2. Members added to the board.

SECTION.

3. Chapter 19 to apply to new division.

Be it enacted by the Governor, Council, and Assembly, as follows :—

1. An additional division shall be added to the Board of Examiners appointed under Section 10 of Chapter 19, of the Revised Statutes, 1900, "The Coal Mines Regulation Act," for an additional district to consist of the County of Inverness.

Additional divi-
sion board of
examiners.

2. Said additional division shall consist of three members appointed from said district and added to the Board as appointed in 1905.

Members added
to the board.

3. All the provisions of the said chapter as to the districts of Cumberland, Pictou and Cape Breton, and as to the divisions appointed therefrom shall apply to the district of the County of Inverness and the division appointed therefrom.

Chapter 19 to
apply to new
division.

CHAPTER 15.

An Act to amend Chapter 18, Revised Statutes 1900, "Of Mines and Minerals."

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Agreement to exchange areas.
2. Investigation by commission.

SECTION.

3. Leases upon same tenure.

Be it enacted by the Governor, Council and Assembly, as follows :—

Chapter 18, Revised Statutes, 1900, of mines and minerals is amended by adding thereto the following section :—

Agreement to
exchange areas.

1. (1). Lessees of coal mining areas who have agreed to exchange with each other portions of their areas for the better or more convenient working or winning coal from their respective areas, may file a copy of such agreement, accompanied by plans of the portions proposed to be exchanged, signed by all the parties, with the Commissioner of Public Works and Mines, and may apply to the Governor-in-Council for an order that such agreement shall be carried into effect.

Investigation
by commission.

(2). Before any such order is made the Commissioner of Public Works and Mines shall hold an investigation of the matter of such application in the manner prescribed by the Mines Act for other investigations, and upon the report of the Commissioner of Public Works and Mines the Governor-in-Council may make the order applied for, upon such terms and conditions as are deemed expedient.

Leases upon
same tenure.

(3). In the event of the Governor-in-Council making such order, each portion exchanged by such agreement and order shall become a part of the area of the person, firm or corporation receiving the same as if it had been a part of the area originally leased to such person, firm or corporation, and shall be held upon the same tenure and subject to the same terms, conditions and covenants upon which the area to which it is added was held by such person, firm or corporation, and barriers shall be left on the boundary of the areas as newly formed instead of on the boundary of the areas as originally leased.

CHAPTER 16.

An Act to amend Chapter 16, Acts of 1903-4, entitled, "An Act to amend Chapter 56, Acts of 1903, entitled An Act to amend the Judicature Act."

(Passed the 1st day of March, A. D., 1905.)

SECTION.

1. Section 6 amended.

SECTION.

2. Adjournment of court legalized.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Section 3 of Chapter 16 of the Acts of 1903-4, is Section 6 amended. amended by adding thereto the following:

"2. The sittings of the court for the trial or disposal of criminal causes, appointed to be held at Sydney on the third Tuesday of February, in the year one thousand nine hundred and five is hereby adjourned until the first Tuesday of March, in the year one thousand nine hundred and five, when the grand jury and all the officers and other persons whose duty it usually is to attend the sittings of the Supreme Court in connection with criminal business shall attend thereat, and all writs, subpoenas, notices and other processes returnable at the said term appointed to be held at Sydney on the third Tuesday of February, one thousand nine hundred and five, shall be enlarged to and be returnable at the term as hereby adjourned to all intents and purposes as if such writs, subpoenas, notices and other processes had originally been returnable thereat."

2. The action of the sheriff of the county of Cape Breton in adjourning the said sittings of the Supreme Court at Sydney for the trial of criminal causes, until the first Tuesday of March, is hereby confirmed and declared to have been legal and effective notwithstanding any limitation upon his power to do so. Adjournment of court legalized.

CHAPTER 17.

An Act to amend Chapter 162, Revised Statutes, 1900,
"The Jury Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 37 amended.
2. Section 38 added to.

SECTION.

3. Section 65 added to.
4. Section 5 amended.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 37
amended.

1. Section thirty-seven of Chapter 162, Revised Statutes, 1900, "The Jury Act," is amended by inserting the words "and Cape Breton" after the word "Halifax," in the said section.

Section 38
added to.

2. Section thirty-eight of said Act is amended by adding thereto the following sub-section, that is to say:

(4) In the County of Cape Breton a panel of petit jurors when required for service at any sittings, civil or criminal, including a midsummer sittings, shall be drawn at any preceding sittings, civil or criminal, or may be drawn under any other provision of the said chapter.

Section 65
added to.

3. Section sixty-five of said Act is amended by adding thereto the following sub-section, that is to say:

(3) "In drawing the names of the grand and petit jurors to be summoned for service at the sittings in the County of Hants, the prescribed number shall be made up in the following proportions, that is to say, one-half consisting of persons residing in the district of East Hants and one-half of persons residing in the district of West Hants. After the number required from either district is obtained the names of persons residing in that district subsequently drawn shall be returned to the jury box until the number required from the other district is completed."

Section 5
amended.

4. Section five of said Act is amended by striking out the word "sixty" in sub-section thirty-one thereof, and substituting therefor the words "sixty-five."

CHAPTER 18.

An Act to legalize Jury Panels, Assessment Rolls and Revisers' Lists for 1905.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Jury panels legalized.

SECTION.

2. Assessment rolls and revisers' lists legalized.

Be it enacted by the Governor, Council, and Assembly as follows:

1. All jury panels now made for use in 1905, whether grand or petit, drawn from jury lists at the terms of the Supreme Court at which the same are usually drawn, shall be and the same are declared to be legal and valid, notwithstanding any defect in the preparation of the lists from which the same are drawn, or any informalities or irregularities that may have occurred in the making up of such lists, or as to the time at which the same were made up, and notwithstanding that such jury lists have not been published as required by the Juries' Act, and notwithstanding that the name of any Justice of the Peace may have been drawn from any such lists, and notwithstanding any error, omission or irregularity whatsoever in the preparation of such lists, the drawing of such panels or anything connected therewith.

Jury panels legalized.

2. The assessment rolls for the present year and the revisers' lists of electors are legalized and confirmed, notwithstanding any irregularities in the appointment of assessors or revisers, or that the assessors were not appointed in accordance with the provisions of Chapter 4 of Revised Statutes, 1900, and notwithstanding that such rolls or lists may not have been completed within the time limited therefor under Chapter 5 of the Revised Statutes, 1900, "Of Municipal Assessments" or any other statute in that behalf, and notwithstanding that the revisers may not have met on the proper day in March, and notwithstanding any errors, omissions or irregularities in the preparation of such rolls or lists, or in any proceeding in connection therewith or in certification thereof, and notwithstanding any irregularity in the appointment of revisers of assessment rolls or any omissions or irregularities in their proceedings.

Assessment rolls and revisers' lists legalized.

CHAPTER 19.

An Act to amend Chapter 52, Revised Statutes, 1900,
"The Education Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 69 amended.
2. Sub-section 2 of section 75 amended.
3. Section 85 added to.
4. Section 93 added to.

SECTION.

5. Section added.
6. Second schedule added to.
7. Section 1, chapter 8, Acts of 1903-4, repealed.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Section 69
amended

1. Section 69 of Chapter 52 of the Revised Statutes, 1900, "The Education Act," is amended by striking out the words "Principal of the School of Agriculture," in line twelve, and inserting in lieu thereof the words "Inspector of Schools."

Sub-section 2
of section 75
amended.

2. Sub-section 2 of section 75 of said Act is amended by inserting after the word "employed" in line three thereof, the words "and a sum not exceeding twenty-five dollars, according to the recommendation of the Inspector for each school garden kept up to the standard of form and efficiency prescribed by the Council."

Section 85
added to.

3. Section 85 of said Act is amended by adding thereto the words "Provided however, that the exemption allowed by this section shall not apply in cases where the rate is upon the real estate and there is a male relative capable of managing said property, of the age of twenty-one years, residing with the widow, unmarried woman or wife, upon the property so assessed."

Section 93
added to.

4. Section 93 of said Act is amended by adding thereto the words, "And amounts so rated in respect to real property shall constitute a lien upon such property, which may be enforced under the provisions of the Assessment Act."

Section added.

5. Said Chapter is amended by adding thereto after section 109, the following section :

109A. (1) Subject to the authority of the Trustees the teacher shall have a general oversight over the school premises during school hours, and may exclude therefrom all persons who disturb or attempt to disturb the school work.

(2) Every person who, in or upon any school premises and in the presence of a pupil or pupils attending such school, uses profane, threatening, abusive or improper language towards the teacher, or speaks or acts in such a way as to impair the maintaining of discipline by the teacher in such school, shall be liable to a penalty of not less than five dollars nor more than twenty dollars, and in default of payment to imprisonment for a period not exceeding thirty days.

6. The second schedule to said Chapter is amended by adding at the end of the paragraph referring to Lunenburg and New Dublin "Lower LaHave, 16." This section shall be construed as if the said school section had been added to the schedule on the third day of March, A. D., 1904. Second schedule added to.

7. Section one of Chapter eight (8) of the Acts of 1903-4 is repealed. Section 1, chapter 8, Acts of 1903-4 repealed.

CHAPTER 20.

An Act to amend Chapter 54 Revised Statutes, 1900, entitled "Of the Education of the Blind."

Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 3 amended.

SECTION.

2. Section 4 amended.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Section 3 of chapter 54 of the Revised Statutes of Nova Scotia, 1900, is amended by striking out the words "seventy-five" in the seventh line thereof, and inserting in place of said words the word "ninety," and by striking out the words "same sum" in the ninth line thereof, and inserting in place of said words, the words "sum of ninety dollars." Section 3 amended.

2. Section 4 of said chapter is amended by striking out the words "seventy-five" in the twelfth line thereof, and inserting in place of said words, the word "ninety." Section 4 amended.

CHAPTER 21.

An Act to amend Chapter 5, Revised Statutes, 1900, "The Nova Scotia Election Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Sub-section 4 amended.
2. Form W. amended.

SECTION.

3. Sub-section (c) struck out.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Sub-section 4
amended.

1. Sub-section 4 of section 65 of Chapter 5, Revised Statutes, 1900, "The Nova Scotia Election Act," is hereby amended by adding to said sub-section after the word "mentioned" the words "and the poll clerk shall have power to administer such oath to the presiding officer."

Form W.
amended.

2. Form W. in the first schedule to said chapter is hereby amended by adding at the end thereof immediately after the words "Returning Officer" the words "or J. L. Poll Clerk."

Sub-section (c)
struck out.

3. Sub-section (c) being the last clause of section (49) forty-nine of said Chapter five and paragraph (5) five of form T. in the schedule to said chapter as amended by section one of Chapter (15) fifteen of the Acts of 1901 are repealed and struck out.

CHAPTER 22.

An Act to amend Chapter 5, Revised Statutes, 1900, "Of Elections."

(Passed the 7th day of April, A. D., 1905.)

SECTION. 1. Sub-division of voters.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Sub-division
of voters.

1. Section 3, sub-section 2 of Chapter 5, Revised Statutes, 1900, is amended by adding the following words: "In cases of towns and cities where the voters in a polling district

are numerous and near together, the sheriff may make his sub-division of voters according to the alphabetical order of the voters, placing all the names from A to L, both inclusive, in one sub-division, and all from M to Z, both inclusive, in another, and so on, placing any number of voters within any alphabetical arrangement according as circumstances require.

CHAPTER 23.

An Act to amend Chapter 4, Revised Statutes, 1900, "Of the Electoral Franchise," and to amend Chapter 5 of said Revised Statutes, "The Nova Scotia Election Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Clause (f) sub-section 3 amended.

SECTION.

2. Section 51, Chapter 5, added to.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Paragraph two of clause (f), of sub-section three, of section three of chapter four, Revised Statutes, 1900, "Of the Electoral Franchise," is amended by striking out the word "county" in the sixth line of said paragraph, and substituting therefor the word "province." Clause (f) sub section 3 amended.

2. Section 51 of chapter 5 of the Revised Statutes, 1900, "The Nova Scotia Election Act," is amended by adding thereto the following sub-section:— Section 51, chapter 5, added to.

(2.) Any voter residing in a county in which no poll is being taken under the provisions of this chapter, may vote in any county in which a poll is being taken and in which he is qualified to vote, upon taking if required by the presiding officer, poll clerk, candidate, agent or any voter the following oath: "I solemnly swear (or if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm) that at the date of the issue of the writ for this election I resided at _____, in the county of _____ that no poll is this day being taken at an election in said county, and that I have not this day voted at any election of a member of the House of Assembly, so help me God."

CHAPTER 24.

An Act to amend Chapter 4, Revised Statutes, 1900, "The Nova Scotia Franchise Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION.
1. Section 4 added to.SECTION.
Form.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 42
added to.

1. Section 42 of chapter 4 of the Revised Statutes, 1900, is hereby amended by adding thereto the following:

(1) If it is made to appear to the revisers, or any two of them, or to a sheriff, that a witness has been duly served with a subpoena and his fees for travel and attendance paid or tendered to him, and that such witness refuses or neglects to attend to give evidence as required by his subpoena, such revisers or sheriff may issue a warrant under his or their hand directed to any constable of the county for the immediate arrest of such witness, to be brought before such revisers or sheriff for the purpose of giving evidence in the matter pending.

Form of warrant.

2. The warrant referred to in the next preceding subsection may be in the form L. following, which is hereby made part of the schedule to said chapter 4:

FORM L.

WARRANT FOR WITNESS.

NOVA SCOTIA FRANCHISE ACT.

To a constable in and for the county of

Whereas, in the matter of the application of
(to add or strike off, as the case may be) the name
from the list of voters for polling district No.
it has been made to appear to me that

of in the county
of has been duly served with a subpoena, and paid
or tendered his fees for travelling and attendance as a

witness, and refuses or neglects to attend to give evidence: These are therefore to command you forthwith to apprehend the said _____ and to bring him before me for the purpose of giving evidence in the said matter.

3. Section 38 of chapter 4 of the Revised Statutes, 1900, is hereby amended by adding the following sub-section thereto: Section 38 amended.

(2) All applications and notices of application to be registered, declarations, affidavits, and notices of appeal, and records and minutes of evidence, under the chapter hereby amended in the possession or control of revisers, or any reviser, or a sheriff, or registrar of voters for the City of Halifax or the City of Sydney, shall be open to the inspection of any voter in such city or county, as the case may be, at all reasonable hours without payment of any fee, and any voter may take copies thereof or extracts therefrom, and any reviser, sheriff, or registrar of voters who refuses or prevents inspection of any application, affidavit, notice of appeal or record or minute of evidence, in his possession or under his control, or who refuses or prevents the making of a copy thereof, or extract therefrom, shall be liable to a penalty not exceeding twenty dollars for each offence.

CHAPTER 25.

An Act to amend Chapter 4, Revised Statutes, 1900,
entitled, "The Nova Scotia Franchise Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

51. Appeal to jury from resolution of dismissal.
52. Application, how made.

SECTION.

53. Judge's decision.
54. Application dismissed in certain cases.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Chapter 4, Revised Statutes, 1900, is amended by Sections added. adding thereto the following sections:

51. Any officer appointed under the provisions of this Act, the tenure of whose office is, during good behaviour, who is removed from office or whose salary as such officer is reduced by resolution of the Council of any Municipality, Appeal to jury from resolution of dismissal.

incorporated town or city, may apply either to a Judge of the County Court for the County Court District in which the municipality, city or town in which, or in any part of which, the officer acts is situate, or to a Judge of the Supreme Court, within six months after such removal or such resolution to be reinstated in office or to have such resolution rescinded.

Application,
how made.

52. Such application shall be made on affidavit and a summons shall be issued calling upon the Mayor or Warden to show cause why such officer should not be reinstated or why such resolution should not be rescinded.

Judge's decision.

53. Upon the hearing of the summons, if the Judge decides that the removal was without due cause, he shall make an order that the officer shall be reinstated, and such officer shall forthwith thereafter be the officer de jure of the city, town or municipality, and the council shall admit him to all the rights, privileges, franchises and duties thereof and the salary of such officer shall continue and be held to have continued the same as if he had not been removed.

Application
dismissed in
certain cases.

54. In case of a summons to rescind a resolution reducing the salary of any such officer, if the Judge determines that the resolution was made in the bona fide exercise of the discretion of the council, city, town, or municipality, and made in the public interest and with due regard to the efficient performance of the duties of such officer, the application shall be dismissed.

Judge may
fix salary.

2. If the Judge determines that the salary of such officer before such reduction was made was excessive, he shall fix the salary at such amount as he deems adequate compensation for the service.

Further powers
of judge.

3. If the Judge determines that the said resolution was not made in the bona fide exercise of such discretion, or that the said resolution was for the purpose of compelling or inducing such officer to resign, he shall make an order rescinding such resolution, and the salary of such officer shall continue and be held to have continued the same as if no such resolution had been passed.

CHAPTER 26.

An Act to amend Chapter 73, Revised Statutes, 1900,
entitled, "The Assessment Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section 141 amended.

Be it enacted by the Governor, Council, and Assembly, as follows :—

1. Section 141 of chapter 73 of the Revised Statutes, 1900, "The Assessment Act" is amended by striking out the words "first day of July in each year," in lines one and two and inserting in lieu thereof the words "said thirty-first day of December." Section 141 amended.

CHAPTER 27.

An Act relating to the appointment of Assessors and the
Assessment of Property in Municipalities.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Application.
2. Assessor to be appointed.
3. Remuneration.
4. Power of Assessors.

SECTION.

5. Sections 8 and 9 of assessment act not to apply.
6. Preparation of roll.
7. Duty of councillor.
8. Assessment roll in force.

Be it enacted by the Governor, Council, and Assembly, as follows :—

1. This Act shall only apply to municipalities in which by resolution of the council at the annual or half yearly meeting it is declared to be in force, and at any time thereafter any municipality which has adopted it, may by resolution rescind its operation and revert to the general law. Application.

2. At the annual or half yearly meeting the municipal council shall appoint, Assessor to be appointed.

(a) Two assessors for the whole municipality, or

(b) One assessor for the whole municipality, and one as-

assistant assessor for each polling district in the municipality, who shall be a resident of the polling district for which he is appointed.

Remuneration.

3. Such assessors shall be paid such remuneration as the council determines.

Power of assessors.

4. (1) Except as in this Act otherwise provided, all the powers and duties conferred or imposed upon assessors by chapter 73 of the Revised Statutes, 1900, "The Assessment Act," shall be exercised and performed throughout the whole municipality by such assessors, except that where only one assessor is appointed he shall be assisted in each polling district by the assistant assessor appointed for that district.

(2) The assistant assessors shall in their respective districts carry out all the reasonable requirements of the assessor, and shall make the inquiry and obtain the information required of district assessors by The Assessment Act.

Section 8 and 9 of assessment Act not to apply.

5. It shall not be necessary for the assessors or assistant assessors, or the clerk of the municipality, to comply with the provisions of sections 8 and 9 of The Assessment Act, but the assessors and assistant assessors or any of them, may require the form prescribed in said sections to be filled up and returned by any person, firm or corporation, and when so required the provisions of sections 10 to 13, both inclusive, shall apply to such person, firm or corporation.

Preparation of Roll.

6. In the preparation of the assessment roll, the provisions of the Assessment Act, shall be complied with, the following changes in said Act having first been made:

(a) In section seven the word "November" in line two shall be deemed to be struck out, and the word "December" substituted; and the word "fifteenth" in the first line of said section is struck out and the word "first" substituted therefor.

(b) In section 15, Rule 16, (1), the words "a majority of them" in line one. shall be deemed to be struck out, and the word "assessor" substituted, and the words "in municipal districts on or before the fifteenth day of November and in incorporated towns," shall be deemed to be struck out.

(c) Sub-section 2 of section 27, shall be deemed to be struck out.

(d) Sections 29 to 34, both inclusive, shall be deemed to be struck out.

7. It shall be the duty of the councillor for each polling district, from time to time to furnish to the municipal clerk, information as to any omissions from the assessment roll, specifying the nature and quantity of the property omitted, and the clerk shall thereupon make such additions to the assessment roll as are necessary, fixing the value of the property so omitted as nearly as may be according to the standard adopted by the assessors.

Duty of
councillor.

8. The assessment roll when completed, shall, as corrected from time to time by the municipal clerk, remain in force and effect for all purposes for a period of three years, unless the preparation of a new assessment roll is sooner required by the municipal council.

Assessment Roll
in force.

CHAPTER 28.

An Act to amend Chapter 37 Acts of 1903-4, entitled, "An Act to amend Chapter 73, Revised Statutes, 1900, entitled, 'The Assessment Act' and to amend Chapter 33, Revised Statutes, 1900."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Sections 2 and 3, Chapter 37, Acts of 1903-4, repealed.

SECTION.

2. Effect of repeal.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Sections 2 and 3 of said chapter 37 of the Acts of 1903-4, are hereby repealed.

Section 2 and 3,
Chapter 37,
Acts of 1903-4,
repealed.

2. This Act shall not affect any existing civil litigation arising from the operation of the sections hereby repealed.

Effect of repeal.

CHAPTER 29.

An Act to amend Chapter 70, Revised Statutes, 1900, "The Municipal Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Sub-section (b) repealed and substituted.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Sub-section (b)
repealed and
substituted.

1. Sub-section (b) of section 122 of chapter 70, of the Revised Statutes, 1900, is repealed and the following substituted therefor:

(b.) Apportion and pay the road and bridge moneys under the provisions of "The Road Act" in those municipalities in which that Act is in force, under the provisions of chapter 67 of the Acts of 1898 and amendments thereof, in those municipalities in which such chapter 67 is in force, and under the provisions of chapter 77 of the Revised Statutes, 1900, "Of the Expenditure of Provincial Road and Bridge Grants," in the other municipalities.

CHAPTER 30.

An Act to amend Chapter 71, Revised Statutes, 1900, "The Towns' Incorporation Act."

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Nomination papers of person who has not paid his rates not received.
2. Section 68 added to.

SECTION.

3. Section 134 amended.
4. Section 188 amended.
5. Section 263 added to.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Nomination
papers of person
who has not paid
his rates not
received.

1. Sub-section 2 of section 68 of chapter 71 of the Revised Statutes, 1900, "The Towns' Incorporation Act," is amended by adding thereto the following words: "But no nomination papers shall be received unless accompanied by a receipt or certificate of the town clerk or treasurer, shewing that the person proposed to be nominated had

fully paid his rates and taxes of all kinds for the previous year, at least ten days before the day for nominating candidates."

2. Section 68 of said Chapter is further amended by Section 68 added to. adding thereto the following sub-sections :

(4) The nomination paper of any candidate who has served as mayor or councillor within three years shall not be valid, nor acted upon unless accompanied by the consent in writing of said candidate.

(5) If a candidate for mayor or councillor die after the expiration of the time for nominating candidates and before the closing of the poll, or if elected, die before taking the oath of office, the council and town clerk shall proceed, under the provisions of this Act, as if a vacancy had occurred in the office of mayor or councillor, as the case may be.

3. Section 134 of said chapter, is amended by striking Section 134 amended. out sub-section two (2) thereof and substituting therefor the following sub-section :

(2) Such loan or loans shall not in the aggregate at any time exceed the sum of five thousand dollars, in towns where the total assessment in the town is less than one million dollars, and in towns where the total assessment of the town is over one million dollars, such loan or loans shall not in the whole be at any time more than one half of one per centum. of the total assessed valuation of said town, and when the amount is borrowed as provided for in this sub-section, the power to borrow shall cease until the said loans have been reduced when the power may again be exercised to the limit mentioned.

4. Section 188 of said Chapter is amended as follows, Section 188 amended. by inserting between the words "Council" and "shall" in the first line thereof, the words "except as hereinbefore provided," and by adding thereto the following sub-section :

(3) The Council may lay out or open or accept the dedication to the town of any street already opened up and built upon by private parties and in use by the people of the town, where in its opinion great damage would be done to adjoining property by taking the full width of fifty feet.

5. Section 263 of said Chapter is amended by adding Section 263 added to. thereto the following sub-sections :

(75) To provide for and regulate the inspection of buildings within the town with a view to the prevention of fires and accidents from faulty construction, or for want of repair, or by reason of the unsafe arrangement of stoves and pipes, and for compelling the owners or occupiers of houses and buildings to make such alterations and repairs as may be deemed necessary for the safety of the public.

(76) For regulating, controlling or prohibiting the use or occupation of buildings, halls, rooms or other places for public meetings, entertainments, amusements, or other gatherings, with a view to the prevention of accidents therein.

CHAPTER 31.

An Act to amend Chapter 171, Revised Statutes, 1900, "The Mechanics' Lien Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Chapter 171 added to.
- (1.) Lien on mining property for labor.
- (2) Priority of lien.
- (3.) Registration of lien not necessary to describe property.

SECTION.

- (4.) Lien when registered.
- (5.) Proceedings when commenced.
- (6.) Interpretation.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Chapter 171
added to.

1. Chapter 171 of the Revised Statutes, 1900, "The Mechanics' Lien Act," is amended by adding thereto after section 13 the following section :

Lien on mining
property for
labor.

13A. (1) Every laborer or workman to whom wages is due by any person, firm or corporation for work or labor performed at a mine or in connection with mining operations carried on by such person, firm or corporation shall have a lien upon the property and mining leases or licenses in respect to which such work and labor has been performed to the extent of two months' wages.

Priority of lien.

(2) Such lien shall have priority over all other liens, mortgages or charges upon the said property and mining leases or licenses whether the same are prior or subsequent to, the performing of such work and labor.

(3) In the registration of such lien it shall not be necessary to describe the property and mining leases affected thereby, but it shall be sufficient to designate such property and mining leases as the property and mining leases of such person or corporation. Registration of lien not necessary to describe property.

(4) Such lien shall be registered in the office of the Commissioner of Public Works and Mines at Halifax, as well as at the Registry of Deeds, of the Registration District in which the mine is situate, and the provisions of "The Mechanics' Lien Act" shall, in so far as the same are applicable, apply to registration in the office of said Commissioner. Lien when registered.

(5) Proceedings to enforce a lien created by this section may be taken at any time within six months from the registration thereof and shall be deemed to be taken on behalf of all persons holding such liens at the time such proceedings are commenced or within thirty days thereafter. Proceedings when commenced.

(6) In this section the expression "mine," means a mine to which the Coal Mines Regulation Act or the Metalliferous Mines Regulation Act applies and the expression "mining" shall have the same meaning as the expression "to mine" in the Mines Act. Interpretation.

CHAPTER 32.

An Act to amend Chapter 36, Revised Statutes, 1900, "The Coroner's Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section 9 amended.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Chapter 36, of the Revised Statutes of Nova Scotia, 1900, is amended by striking out the words "which shall include any charge for a post mortem examination if such is made," in section 9, sub-section 2 thereof, and by adding to said section the following sub-section: Section 9 amended.

(3) Such practitioner, if he shall make a post mortem examination, shall be entitled to receive from the municipal

treasurer a further sum of five dollars for such examination, upon presentation of a certificate from the coroner by whom the inquest is held, that such examination has been made by the direction of a majority of the jury.

CHAPTER 33.

An Act to amend Chapter 28. Revised Statutes, 1900, "The Sheriff's Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section 23 repealed and substituted.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 23
repealed and
substituted.

1. Section 23, of Chapter 28, of the Revised Statutes of Nova Scotia, 1900, is repealed and the following substituted therefor:

(23) During a vacancy in the office of sheriff for any county, or during a temporary absence of the sheriff from the county of which he is sheriff, or during the illness of the sheriff, and until the appointment of a sheriff for the county, or until the sheriff returns to the county, or until the sheriff becomes able to perform the duties of his office, the chief deputy sheriff shall discharge the duties of sheriff, and shall have all the rights, powers, authority and immunity of a sheriff, and all acts done by him in the discharge of his duties shall be as legal and effectual as if done by a sheriff.

CHAPTER 34.

An Act to amend the Liquor License Act.

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section 181 added to.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Section 181, of Chapter 100, of "Revised Statutes, 1900," is hereby amended by adding thereto the following sub-section: Section 181 added to.

(6) The same person or persons may be appointed such Inspector or Inspectors by the council of any incorporated town for such town, and by the council of any municipality for such municipality, anything that may be contained in "The Towns' Incorporation Act," or "The Municipal Act," to the contrary notwithstanding.

CHAPTER 35.

An Act to amend Chapter 4, Acts of 1903-4, entitled, "An Act relating to Loan Corporations."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section 8 added to.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Section 8, of Chapter 4, of the Acts of 1903-4, is amended by adding thereto the following: Section 8 added to.

"Nothing in this section shall be deemed to affect any actions brought upon any mortgage or other written instrument in the nature of a mortgage which in clear terms provides for the repayment of principal and interest within a fixed definite period of time, and by a definite named number of monthly or other regularly recurring payments or instalments, and provides no other or alternative mode of payment."

CHAPTER 36.

An Act to amend Chapter 125 of the Revised Statutes, 1900, "The Lunacy Act."

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Section 2 amended.

SECTION.

2. Section 20 amended.

Be it enacted by the Governor, Council, and Assembly as follows:—

Section 2
amended.

1. Section 2 of Chapter 125 of the Revised Statutes, 1900, "The Lunacy Act," is amended by inserting after the word "thereof" in the fourth line of said section the words "or to the Judge of the County Court of the District in which such insane person resides or has a domicile."

Section 20
amended.

2. Section 20 of said Act is amended by adding after the word "Justices" in line twelve the following words, "and such overseers or municipal treasurer shall have full power to make, execute and deliver all necessary deeds and transfers whatsoever of such property to the purchaser or purchasers thereof."

CHAPTER 37.

An Act to amend Chapter 105 of the Revised Statutes, 1900, "The Dental Act."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 17 amended.
2. Section 18 amended.

SECTION.

3. Chapter 36, Acts of 1903-4, repealed.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 17
amended.

1. Section seventeen (17) of Chapter 105 of the Revised Statutes, 1900, "The Dental Act," is amended by inserting after the word "examination" in the fifth line thereof, the words "or an equivalent thereto," and also by striking out the words "after passing such examination," in line six thereof.

2. Section eighteen (18) of said chapter is amended by striking out the words "for a person beginning his dental studies in Nova Scotia" in the third and fourth lines thereof. Section 18 amended.

3. Chapter thirty-six (36) of the Acts of 1903-4, entitled, An Act to amend chapter 105 Revised Statutes, 1900, "Of the Practice of Dental Surgery," is repealed. Chapter 36, Acts 1903-4, repealed.

CHAPTER 38.

An Act further to amend the Game Act.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Section 3 repealed and substituted.
2. Section 4 amended.
3. Section 2, Chapter 58, Acts of 1903, repealed and substituted.
4. Section 18 repealed and substituted.
5. Section 3 amended.
6. Section 23, Chapter 23, Acts of 1902, amended.

SECTION.

7. Close season for Otter.
8. Section 3, Chapter 14, Acts of 1903-4, amended.
9. Section 50 amended.
10. Close season for Moose in Cape Breton.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The third section of Chapter 101, of the Revised Statutes, "Of the Preservation of Game," commonly known as "The Game Act" is repealed, and the following section is substituted therefor: Section 3 repealed and substituted.

(1) No person shall kill, take, hunt or pursue with intent to kill, or take any moose, except between the first day of October in each year and the first day of the following January, both included.

(2) No person shall during one year or season, kill or take more than two moose.

(3) No person shall, at any time or season, kill, take, hunt or pursue with intent to kill or take any calf moose under the age of one year, or shall have in his possession the carcass of any such calf moose or any portion thereof.

(4) Any person or party of hunters who kill a moose shall carry the flesh thereof out of the woods within ten days after killing the animal.

(5) Every person who contravenes, or fails to comply with any of the provisions of this section, shall for each such offense be liable to a penalty of not less than fifty nor more than two hundred dollars.

Section 4
amended.

2. The fourth section of "The Game Act" is amended by substituting "first day of October" for "fifteenth day of September," in the sixth and seventh lines thereof, as printed.

Section 2,
Chapter 58,
Acts of 1903,
repealed and
substituted.

3. The section substituted for the tenth section of The Game Act, by the second section of chapter 58 of the Acts of 1903, is repealed, and the following section is substituted therefor:

(1) Every person who kills or takes, or hunts or pursues with intent to kill, snare or otherwise takes any caribou or deer before the first day of October A. D. 1910, shall be liable to a penalty of not less than fifty nor more than two hundred dollars for each such offense.

(2) On and after such first day of October, A. D. 1910, the provisions of The Game Act, the Acts in amendment thereof, and of this Act with respect to moose, shall apply to caribou and deer.

Section 18
repealed and
substituted.

4. Section 18 of such Act is repealed, and the following section is substituted therefor:

18. (1) No person shall take, hunt or kill, or attempt to take, hunt or kill, or shall have in his possession, any bird included under the definition of "game" in this Chapter, except between the twentieth day of August in any year and the first day of the following March.

(2) Every person who violates this section shall, for each offence, be liable to a penalty of not less than five nor more than ten dollars.

(3) This section shall not apply to ruffed grouse, commonly called partridge.

(4) In the County of Cumberland the open season for blue winged duck shall extend to the first day of May in any year.

5. Sub-sections 1, 2 and 3 of section 3, of chapter 58, of the Acts of 1903, are repealed and the following sections substituted therefor: Section 3 amended.

(1) No person shall kill or pursue with intent to kill, or shall snare, trap or take, any hare or wild rabbit save from the first day of November in any year to the first day of the following March.

(2) No person shall buy, or sell, or expose, or offer for sale, or have in his possession, any hare or wild rabbit from the first day of March to the first day of November in any year.

(3) No snare shall be set, or allowed to remain set, for hares or wild rabbits from the first day of March to the first day of November in any year.

6. Sections 2 and 3 of chapter 23 of the Acts of 1902, and sections 1 and 2 of chapter 14 of the Acts of 1903-4, are repealed, and section 25 of the Game Act as it read prior to the first of January, 1902, is revived excepting sub-section 5 thereof, which is repealed and the following substituted therefor: Sections 2 and 3, Chapter 23, Acts of 1902, amended.

(5) The fee to be paid upon the issue of any such license shall be the sum of thirty dollars.

7. No person shall hunt, trap or kill, or pursue with intent to hunt, trap or kill, any otter, or have in his possession the skin of any otter, until after the first day of October, 1910, under a penalty of not less than \$25.00 nor more than \$50.00. Close reason for Otter.

8. Section 3 of chapter 14 of the Acts of 1903-4, is amended by striking out the words "or a moose" in the fourth and fifth lines thereof. Section 3, Chapter 14, Acts of 1903-4, amended.

9. Section 50 of the Game Act is amended by adding thereto the following sub-section: Section 50 amended.

(3) The chief game commissioner shall be ex officio a member of the council of the Game society.

10. Sub-section (1) of section 4, of chapter 58, of the Acts of 1903, is amended by adding the following words, "provided such heads have been mounted." Section 4, chapter 58, Acts of 1903, amended.

Close season
for Moose in
Cape Breton.

11. In the Island of Cape Breton no person shall kill, take, hunt, or pursue with intent to kill or take, any moose, between the fifteenth day of September, 1905, and the first day of October, 1915; and any person who violates the provisions of this section shall be liable to a penalty of two hundred dollars.

CHAPTER 39.

"An Act to provide for the organization of Fishermen's Unions."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Organization.
2. Objects.
3. By-laws.
4. Officers.
5. Property.
6. Annual meeting.

SECTION.

7. Delegates.
8. Travelling expenses.
9. Executive committees.
10. Forfeiture of certificate.
11. Annual return.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Organization

1. Where not less than fifteen persons resident in any place or settlement, and actually engaged in the occupation of fishing, signify their intention of forming a Union by signing a declaration in the form in the schedule to this Act, a certificate of incorporation may be issued by the Registrar of Joint Stock Companies to such persons, and they and such other fishermen as may become members thereof, shall thereupon become a body corporate under the name of Station No. . . . , Fishermen's Union of Nova Scotia. A true copy of such declaration with an affidavit verifying the signatures and the fact that such persons are actually engaged in the occupation of fishing, shall, before the certificate is issued, be filed with the said registrar.

Objects.

2. The objects of the said Unions shall be :

(a) To procure information as to the latest improvements in boats and fishing gear of all kinds, as to the best methods of curing and preparing fish for markets, and as to the transportation and marketing of fish, and fish products.

(b) Mutual communications between the stations of such information.

(c) To take united action upon matters arising in respect to the fisheries and to make representations and furnish information to the proper authorities.

(d) Generally to improve and elevate the material, intellectual and social welfare and standing of the members.

3. (1) Each station may make by-laws for the regulation of its business, the conduct of meetings, the annual fee to be paid by members, and for its representation at the annual and district meetings of the Fishermen's Union of Nova Scotia. ^{By-laws.}

(2) Such by-laws shall not be inconsistent with the provisions of this Act, and a copy thereof certified by the secretary-treasurer of the Station, shall be filed in the office of the Provincial Secretary, and shall be of force and effect until disapproved by the Governor-in-Council.

4. The officers of each Station shall be a President, ^{Officers.} Vice-President and Secretary-Treasurer to be elected at the Annual meeting, and these officers, together with four members to be elected at such meeting, shall form the executive committee of the Station. There shall also be elected at such meeting, or at a meeting called for the purpose, two delegates to represent the Station at the annual and district meetings hereinafter mentioned.

5. Each Station may hold real estate not exceeding in ^{Property.} value five thousand dollars, and may sell, mortgage, lease or otherwise dispose of the same, and so much of the said property as is used exclusively for the purposes of the different associations shall be exempt from taxation.

6. (1) There shall be held annually, a meeting of the ^{Annual meeting} Fishermen's Union of Nova Scotia, to be composed of two delegates from each Station.

(2) The first of such meetings shall be held on the second Tuesday of September, A. D. 1905, at Halifax, and the place of the next meeting shall be determined at each annual meeting.

7. (1) There shall be held semi-annually a meeting of ^{Delegates.}

two delegates from each Station in the several districts in Nova Scotia under the jurisdiction of a Fishery Inspector.

(2) The first of such meetings shall be held at the place where the first Station was formed in the district, and shall be called by the President of such Station, the place and time of the next meeting shall be fixed by each district meeting.

Travelling
expenses.

8. Every delegate attending the annual or district meeting, shall be entitled to receive out of the funds of the Station which he represents, such reasonable sum as travelling expenses as the Station determines.

Executive
committees.

9. The officers and executive committees of the annual and district meetings shall be the same as those prescribed for the Stations, and the term of office shall be one year.

Forfeiture of
certificate.

10. Any Station which is unrepresented by at least one delegate at three consecutive annual meetings, shall forfeit its certificate of incorporation, and upon a declaration to that effect being furnished to the Registrar of Joint Stock Companies by the secretary of the annual meeting, he shall revoke the said certificate and notify the president of such Station that its certificate has been so revoked.

Annual return.

11. An annual return shall be furnished by the secretary-treasurer of every Station to the Provincial Secretary on or before the 31st day of December showing :

- (a) The number of members of the station.
- (b) The annual fee paid by members.
- (c) The number of meetings held.
- (d) The names and addresses of the officers, executive committee and delegates.
- (e) The receipts and expenditure of the station during the year.
- (f) The property held by the station and its value.

SCHEDULE.

We, the undersigned residents of
and engaged in the occupation of fishing, hereby agree to
form ourselves into a Union and desire to become incorpor-
ated under the provisions of chapter 39 of the Acts
of the Legislature of Nova Scotia for 1905, as Station
No. . . . Fishermen's Union of Nova Scotia.

NAMES OF SUBSCRIBERS.	ADDRESS.

CHAPTER 40.

An Act to amend Chapter 118, Revised Statutes, 1900, "Of
the transfer of Immigrants and Orphan Children."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Particulars given.
Child returned in certain cases.

SECTION.

- Restoring child.
Penalty for ill-treatment.

Be it enacted by the Governor, Council, and Assembly, as
follows :

1. Chapter 118 of the Revised Statutes of Nova Scotia, Particulars
1900, is amended by adding thereto the following sections : given.

9. Every person receiving from any charitable institu- Child returned
tion, refuge, or home, or from an agent of the same, any in certain cases.
child, shall, whenever required by such institution, refuge,
home, or agent so to do, furnish to such institution, refuge,
home or agent, full particulars as to the health, conduct,
progress and welfare of the child.

Restoring child.

10. In case any person who has received from any such institution, refuge, home or agent, a child, and is unable or unwilling to carry out the agreement entered into by him with such institution, refuge, home or agent, he shall at his own expense return the child safely to the institution, refuge, home or agent from which such child was received by such person; and any such person who abandons a child so received or refuses to maintain the child and neglects or refuses to return such child to such institution, refuge, home or agent as aforesaid, shall, on summary conviction thereof, be liable to a fine of not more than one hundred dollars nor less than ten dollars, or to imprisonment for any term not exceeding three months, or to both such fine and imprisonment. Provided, however, that nothing in this section contained shall be deemed to relieve any person or to entitle any person to relief as a matter of right in respect of a child received by him as aforesaid, or in respect of any contract or agreement entered into in respect of such child until he obtains the written consent of such institution, refuge, home or agent in that behalf.

11. Where a child who has been received by any person as aforesaid, of his own accord deserts the home or employment of such person, or is wrongfully taken from the custody of such person, with or without the consent of the child before attaining the age of eighteen years, the person from whose custody the child has escaped or been taken, shall immediately notify the institution, refuge, home or agent from whom the child was received, and shall give all reasonable assistance in recovering and restoring to the guardianship of such institution, refuge, home or agent, the child, under penalty, in case of default, of not more than twenty dollars and not less than five dollars, to be recovered on summary conviction.

Penalty for
ill-treatment.

12. Any person who has received from any such institution, or refuge, home or agent, a child, and ill-treats or overworks or neglects to provide for the proper maintenance or education of such child, shall on summary conviction thereof, be liable to a fine not exceeding fifty dollars or to imprisonment with or without hard labour for any term not exceeding six months, or to both such fine and imprisonment.

CHAPTER 41.

An Act relating to offences against Religion.

(Passed the 7th day of April, A. D., 1905.)

SECTION.
1. Appeal to Supreme Court.SECTION.
2. Powers of Supreme Court on appeal.

Be it enacted by the Governor, Council, and Assembly,
as follows:

1. In all prosecutions under chapter 159, Revised Statutes, Third Series, and under chapter 57 of the Acts of 1889, and under chapter 32 of the Acts of 1891, an appeal shall lie to the Supreme Court, from any judgment, order or conviction of a County Court Judge; and any person convicted of an offence against any of the Acts herein mentioned by any Stipendiary Magistrate, Justice or Justices, may appeal direct to the Supreme Court, instead of to the County Judge, if so disposed. ^{Appeal to Supreme Court.}

2. The Supreme Court may set aside, affirm or alter any conviction so made, and make any order in the premises as ^{Powers of Supreme Court on appeal.} may be deemed expedient.

CHAPTER 42.

An Act to amend Chapter 62, Revised Statutes, 1900, "Of the protection of the growth of Cranberries."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Halifax County included in Act.

Be it enacted by the Governor, Council, and Assembly,
as follows:—

1. Section 4 of chapter 62, Revised Statutes, 1900, is ^{Halifax County included in Act.} amended by inserting the word "Halifax" after the word "Guysborough," in said section.

CHAPTER 43.

An Act to amend Chapter 46, Acts of 1903-4, entitled, "An Act to provide for the formation of Mutual Insurance Companies."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 4 amended.

SECTION.

2. "Registrar" substituted for "inspector."

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 4
amended.

1. Section 4, of chapter 46, of the Acts of 1903-4, entitled, "An Act to provide for the formation of Mutual Insurance Companies," is amended by striking out the words "of the county or riding of the county," in line 12 of said section, and inserting in lieu thereof, the words "of deeds of the registration district."

"Registrar"
substituted for
"inspector."

2. Wherever the word "inspector" appears in said Act, the same is struck out and the words "Registrar of Joint Stock Companies," are substituted therefor.

CHAPTER 44.

An Act to amend Chapter 153, Revised Statutes, 1900, "Of certain Trust Companies."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section 1 amended.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 1
amended.

1. Section one, chapter 153, Revised Statutes, 1900, "Of certain Trust Companies," is amended by inserting after the word "Canada," in the third line thereof, the words "or under letters patent issued pursuant to any Act of said legislature or parliament."

CHAPTER 45.

An Act to amend Chapter 131, Revised Statutes, 1900, entitled, "Of Library Associations and Institutes."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Town Council empowered to make appropriation.

SECTION.

2. Property exempt from taxation.

Be it enacted by the Governor, Council, and Assembly, as follows :—

1. The following sections are hereby added to chapter 131 of the Revised Statutes, 1900, entitled, "Of Library Associations and Institutes :"

Town Council empowered to make appropriation.

14 Any town council of an incorporated town, and any municipal council of any municipality, may vote and appropriate an annual sum, not exceeding five hundred dollars per year, towards the support, purchase of books or other the purposes of any Library Association, incorporated under this Act, and whose Library is within the bounds of the county wherein said incorporated town or municipality is situated. Such sum when voted shall be included in the annual appropriations for the town or municipality for the year, and shall be assessed and collected with other the rates and taxes required to be assessed for town or municipal purposes.

15. All property, real and personal, of any Library Association, incorporated under this Act, shall be exempt from taxation for town, school, road, poor, railway, municipal, civic, provincial or other purposes.

Property exempt from taxation.

CHAPTER 46.

An Act to provide for defraying certain expenses of the Civil Government of the Province.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Sums granted to His Honour.

SECTION.

2. Money, how payable.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Sums granted
to His Honour.

1. There shall be granted to His Honour the Lieutenant-Governor the several sums of money hereinafter mentioned, to provide for defraying expenses of the Civil Government of the province for the fiscal year ending 30th September, 1905.

A sum not exceeding \$52,500 for the encouragement of agriculture.

A sum not exceeding \$10,000 to defray the expenses of criminal prosecutions.

A sum not exceeding \$275,000 for educational purposes.

A sum not exceeding \$12,500 to defray the current expenses of the Crown Land department;

A sum not exceeding \$53,000 to provide for the pay of members and officers and the contingent expenses of the Legislature;

A sum not exceeding \$22,700 to defray the expenses of the Department of Public Works;

A sum not exceeding \$23,000 to defray the expenses of the Mines Department;

A sum not exceeding \$166,000 for certain public charities;

A sum not exceeding \$10,000 towards defraying the expenses of public printing;

A sum not exceeding \$40,000 to provide for certain miscellaneous expenses;

A sum not exceeding \$57,089 in aid of steamboats, packets and ferries;

A sum not exceeding \$23,550 for the payment of salaries;

A sum not exceeding \$92,829.80 to provide for great and bye-roads and bridge service;

A sum not exceeding \$20,000 to defray the expenses of the Provincial Engineer's office;

A sum not exceeding \$2,100 towards defraying the expenses of the Legislative Library;

A sum not exceeding \$272,598.09 to provide for the payment of interest of Nova Scotia debentures;

A sum not exceeding \$10,966.66 to provide for a Sinking Fund in connection with Nova Scotia debentures;

A sum not exceeding \$1,200 in aid of Halifax Medical College;

A sum not exceeding \$12,000 in aid of Miners' Relief Funds;

A sum not exceeding \$400 to provide for the expenses of Sheriffs' Courts in connection with the Electoral Lists;

A sum not exceeding \$10,000 to provide for the Interest on Current Bank Accounts in Nova Scotia;

A sum not exceeding \$1,000 to provide for certain expenses in connection with Succession Duties;

A sum not exceeding \$10,000 to provide for a Refund of Crown Land Road Moneys;

A sum not exceeding \$50,000 to provide for certain smaller Bridges;

A sum not exceeding \$45,000 in connection with Royalty Refund;

A sum not exceeding \$8,000 to provide for emergent road expenditure;

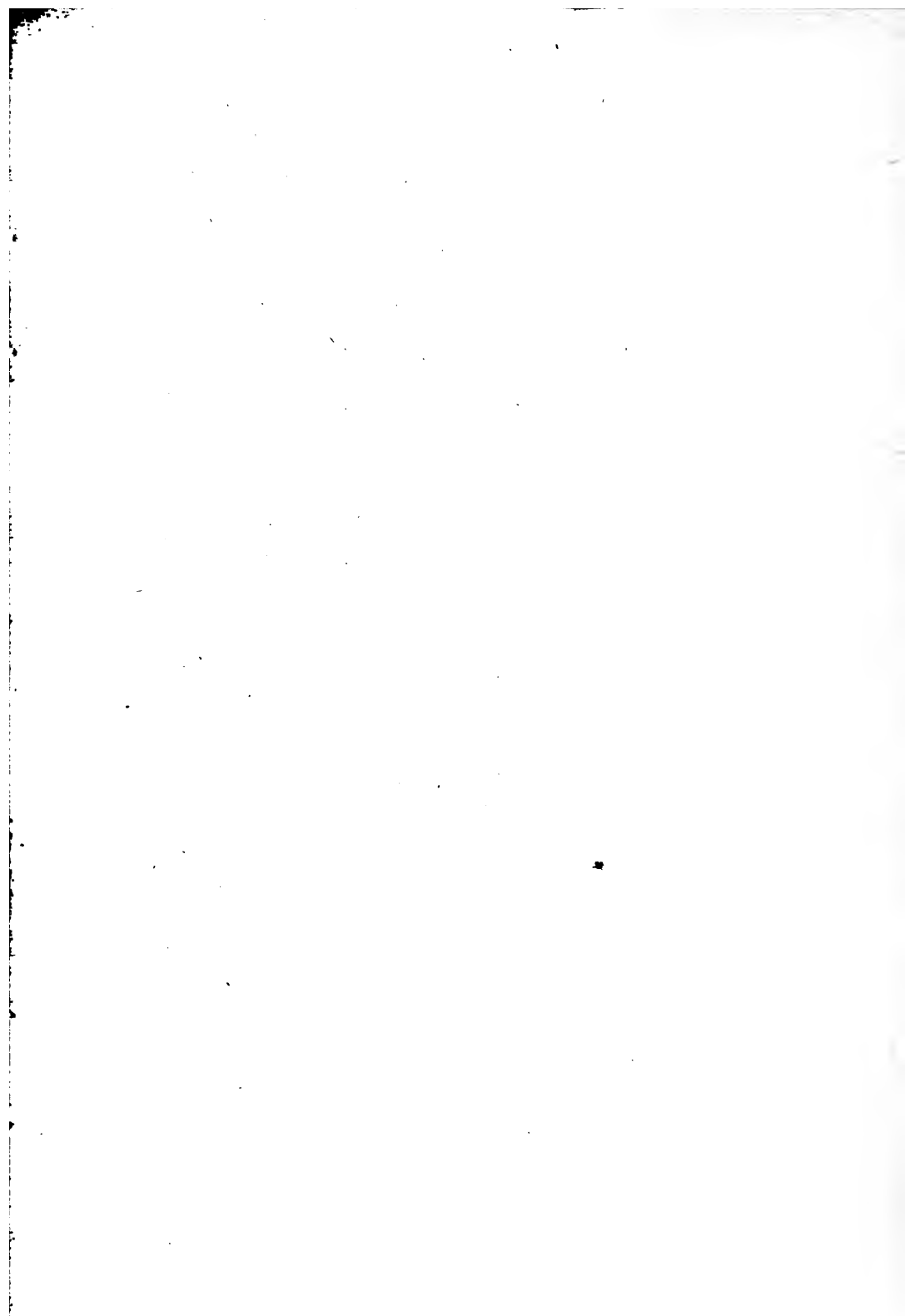
A sum not exceeding \$10,500 towards defraying expenses of Howe monument;

A sum not exceeding \$5,000 to provide for certain election expenses;

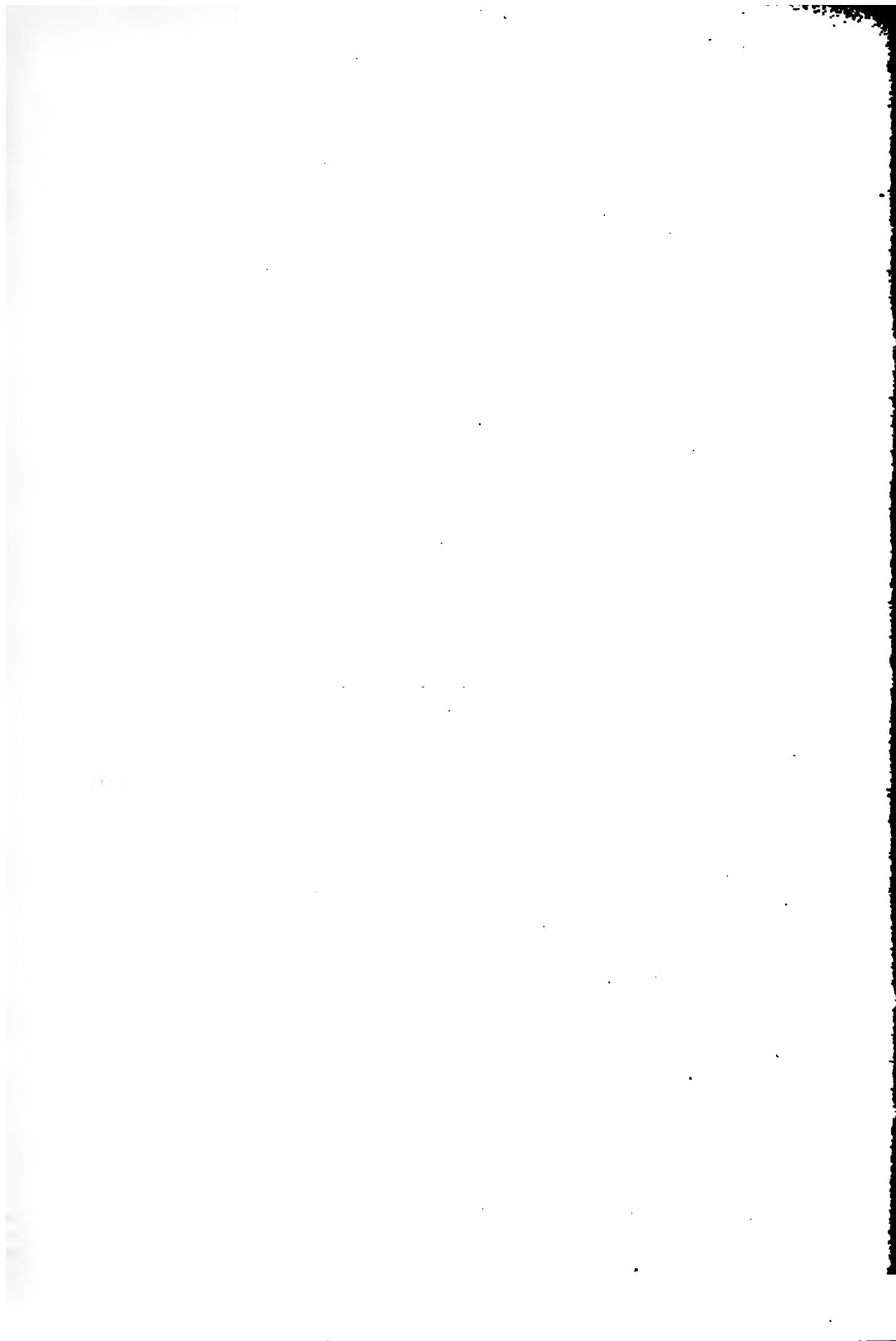
A sum not exceeding \$118,400 chargeable to capital for certain public works.

Money, how
payable.

2. The several sums of money above mentioned shall be paid by the Provincial Treasurer by warrant of the Provincial Secretary out of the moneys now in the treasury, or as payments may be made at the same.



LOCAL ACTS.



CHAPTER 47.

"An Act in relation to the City of Halifax."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Paving of streets.
2. Plan of streets so paved.
3. Lien upon land for cost of paving.
4. Power to erect fountains.
5. Licenses for billiard rooms.
6. Ordinance respecting entertainments.
7. Commissioners of cabs.
8. Police committee.
9. Section 27, chapter 65, Acts of 1898, amended.

SECTION.

10. Section 8, chapter 51, Acts of 1900, amended.
11. Sections 1, 2, and 3 repealed.
12. Power to sell engine house.
13. Proceeds of sale of engine house.
14. Building Act amended.
15. Provisions of city charter to apply in certain cases.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Upon the presentation to the city council of the city of Halifax, of a petition signed by the persons owning not less than two-thirds of the frontage of the real property fronting on any street or part of a street in the city, praying that such street or part may be paved, the council may refer the matter of the petition to the city engineer for report thereon.

The engineer shall report to the council :

- (a) The total length of street proposed to be paved ;
- (b) The nature of the material most suitable in his judgment to be used for the paving ;
- (c) The probable cost ; and
- (d) Whether in his opinion it is desirable to pave such street or portion, and any such other information or remarks as he deems proper.

(2) The council on consideration of such report, shall decide whether to pave such street or portion of a street or not and the material to be used, and if it orders the same to be done the work shall be performed by the committee of works.

(3) One-half of the cost of such pavement shall be borne by the owners of properties fronting on the street or portion of a street so paved, in proportion to the respective frontages thereon.

Plan of streets
so paved.

2. (1) Upon the completion of the work of paving, the city engineer shall make a plan of the street or portion of a street so paved, shewing the frontage thereon of each property, and the name of the owner of each property. He shall also make a list of the owners of such properties, with the frontages of each property and the amount due in respect to each property, and shall file such plan and list in his office.

(2) Upon such plan and list being completed and filed, the same shall in any action or proceeding be conclusive evidence of the liability of every person named therein in respect to each property of which he is stated to be the owner, for the amount stated in respect to each such property.

(3) Any such plan or list may be amended from time to time by the city engineer, and any such amendment shall in like manner be conclusive evidence of the facts stated therein.

(4) The engineer shall furnish the city collector and the city assessors with copies of every such list or amendment thereof, with the date of the filing in the office of the city engineer endorsed thereon.

Lien upon land
for cost of paving.

3. The amount for which each person is stated to be liable in such plan and list in respect to any lot of land, shall constitute a lien upon such land and prior to any other lien, charge or encumbrance thereon, other than the lien created in favor of the rates and taxes or other charges of the city of Halifax, and may be enforced against such land by the city in the same manner and with the same rights and remedies as are provided by law in respect to such rates and taxes, and may also, at the option of the city, be recovered by action in the name of the city.

Power to erect
fountains.

4. (1) The city may erect drinking fountains upon the streets, squares, and public places of the city, and may appropriate therefor such part of the general revenue of the city, or of the moneys received in respect to the water supply of the city, as the council deems fit.

(2) The council of the city may grant permission to any person or association to erect such fountains on the streets, squares, and public places of the city, but the location of any such fountain, and the design thereof, and the supply of water thereto, shall be subject to the approval of the committee of works.

5. (1) No person shall carry on business in the said city as keeper of a public billiard room or bowling alley, without first having obtained a license therefor. Licenses for billiard rooms.

(2) Every such license shall be signed by the mayor and city clerk, and issued by the city clerk, and shall be in force until the thirtieth day of April next succeeding the date when the same is issued and no longer.

(3) The city council may make ordinances for the regulation of such billiard rooms and bowling alleys, and prescribe the fees to be paid for the licenses therefor.

(4) Until the council by ordinance otherwise determines, the fees to be paid for such licenses shall be the following:—

For a billiard room with one billiard table or pool table only.....	\$25 00
For each additional table.....	5 00
For each bowling ally.....	10 00

6. Section 667, of chapter 58, of the Acts of 1891, is hereby repealed, and the following substituted therefor:— Ordinance respecting entertainments.

“The council of the said city, may make and from time to time, amend, alter and repeal, ordinances in respect to theatrical or musical entertainments, lectures, circuses or other public entertainments or exhibitions of every description, to which admission is obtained on payment of money, and the performance of street music and other entertainments on the streets of the city, to require a license to be had for any such class of entertainment or exhibition, to fix the forms of license, the fees to be paid therefor, the penalties for the violation thereof, and generally to regulate the manner in which such entertainments and exhibitions shall be conducted.”

7. Section 1 of chapter 33 of the Acts of 1896, is hereby repealed and the following section substituted therefor:— Commissioners of cabs.

Hereafter the management and control of all vehicles for the transportation of goods, wares, merchandise, fuel and all other articles for hire, as also the keeping and driving of cabs, carriages and all vehicles used for hire for the transportation of passengers in said city, as also the control and regulation of keeping livery stables and premises, and the keeping of horses therein, shall be and is hereby vested in a board of commissioners, consisting of the mayor and two

aldermen to be selected annually by and from the city council, to be called "commissioners of cabs."

Police
committee.

8. Section 1 of chapter 54 of the Acts of 1893, and section 26 of chapter 44 of the Acts of 1897, are both hereby repealed and the following substituted therefor:—

"The general powers and duties heretofore vested in the police committee of the city council of Halifax and hitherto performed by said committee shall hereafter be vested in and exercised by a committee to consist of three members, viz.: the mayor of the city and two aldermen to be selected annually by and from the city council.

"These commissioners shall have the power to appoint, suspend, fine or otherwise discipline any member of the police force of the city, and with the approval of the city council to dismiss any member of the force."

Section 21, chapter 65, acts of 1898, amended.

9. Section 21 of chapter 65 of the Acts of 1898, is hereby amended by striking out the word "thirty" wherever the same occurs therein, and substituting the word "forty" therefor.

Section 8, chapter 51, acts of 1900, amended.

10. Section 8 of chapter 51 of the Acts of 1900, is hereby amended by striking out the words "fifty dollars" in the fifth line from the top thereof, and substituting the words "two hundred dollars" in place thereof.

Sections 1, 2, and 3 repealed.

11. Sections 1, 2 and 3 of chapter 51 of the Acts of 1902, are hereby repealed.

Power to sell
engine house.

12. The City Council may sell and dispose of the Queen Street Engine House and the land connected therewith, and the proceeds of any such sale and disposition shall be paid into and form part of the sinking fund, 1902.

Proceeds of sale
of engine house.

13. The proceeds realized by the sale of the Gerrish Street Engine House and lands connected therewith, authorized by section 23 of chapter 44 of the Acts of 1897, shall be paid into the sinking fund, 1902, instead of being applied as directed by the said section.

Building Act
amended.

14. Section 12 of the Building Act for the said city, passed in the year 1904, is amended to read as follows:

"12. (1) Except as is otherwise provided, no building not of the first or second class shall be erected within a dis-

trict comprised within the following limits:—commencing at a point on a line drawn in prolongation of the south side line of Fawson Street, distant eighty feet eastwardly from the east side line of Water Street, thence running westwardly by the said line drawn in prolongation of the south side line of Fawson Street and the south side line of Fawson Street to a point in line with the centre line of Water Street; thence northerly by said centre line of Water Street to Morris Street; thence westwardly by the centre line of Morris Street to Queen Street; thence by the centre line of Queen Street northwardly and by its various courses to Sackville Street; thence eastwardly by the centre line of Sackville Street to Brunswick Street; thence northwardly by the centre line of Brunswick Street to Proctor Street; thence eastwardly by the centre line of Proctor Street to Barrington Street; thence northwardly by the centre line of Barrington Street to Cornwallis Street; thence eastwardly by the centre line of Cornwallis Street to Water Street; thence northwardly by the centre line of Water Street to the centre line of Gerrish Street; thence eastwardly by a line drawn in continuation of the centre line of Gerrish Street to a point distant eighty feet eastwardly from the east side line of Water Street; and including also the distance of eighty feet on both sides of each of the said streets or parts of streets forming the boundary line and eighty feet eastwardly from the east side line of Water Street from Fawson St. to Gerrish Street.

(2) "East of eighty feet east of Water Street between Fawson Street and Gerrish Street, no structure shall be permitted of wood unless the same is entirely covered externally with metal or other unflammable material, with flat roofs of unflammable material and all openings properly protected, and in no case shall any such structure exceed three stories in height."

15. All the provisions of the city charter as to the collection of rates and taxes, payment over of the same and monthly returns, shall apply in the case of interest payable on overdue rates and taxes, nor shall any official of the city remit or neglect to collect any interest so becoming payable.

Provisions of city charter to apply in certain cases.

CHAPTER 48.

An Act to enable the City of Halifax to borrow Money
(Short term Debentures).

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to borrow.
2. Repayment.

SECTION.

3. Money, how applied.
Schedule.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Power to borrow. 1. The City of Halifax is authorized to borrow a sum not exceeding twenty-two thousand and three hundred dollars, to be applied to the purposes set out in the schedule to this Act in the respective amounts therein specified for each such purpose and to no other purpose whatever.

Repayment. 2. The amount so borrowed with interest at a rate not exceeding five per cent. shall be repaid in five yearly instalments, and an amount equal to each such instalment shall be added to and included in the sum rated upon the inhabitants and property within the city and collected therewith in each year until the same is repaid.

Money, how applied. 3. The moneys borrowed under this Act shall be paid into the hands of the treasurer of the said city, and shall be by him paid out and applied as directed by the city council for the purposes specified, and for no other.

SCHEDULE.

Schedule.

AMOUNT.	PURPOSE.
\$168.24.	To pay deficit in fire department for year 1903-4.
Not to exceed \$2,500.00.	To pay deficit in fire department for year 1904-5.
Not to exceed \$4,000.00.	To pay for land expropriated on Upper Water Street and expenses of expropriation.
\$297.25.	To pay insurance 1904-5.
\$293.83.	To pay for coal for City Hall 1903-4.

\$350.00.	To pay for coal for City Hall 1904-5.
\$1,000.00.	To purchase books for Citizens' Free Library.
\$4,500.00.	To pay for paving Granville St.
\$1,100.00.	To pay for hose for fire department.
\$3,000.00	To repair retaining wall of Grand Parade.
\$5,000.00	For the removal of snow and ice and general street purposes.

CHAPTER 49.

An Act to enable the City of Halifax to borrow Money
(Long term Debentures).

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Authority to borrow.
2. Debenture stock.

SECTION

3. Sinking.
Schedule.

Be it enacted by the Governor, Council, and Assembly,
as follows:—

1. The city of Halifax is authorized to borrow a sum Authority to borrow. not exceeding two hundred and seven thousand dollars, to be applied to the purposes set out in the schedule to this Act in the respective amounts therein specified for each such purpose, and to no other purpose whatever.

2. The sum so borrowed shall be in addition to the Debenture Stock. amount authorized to be borrowed by the Halifax City Consolidated Fund Act of 1905, shall form part of that fund, and shall be secured by debentures or stock to be issued in conformity with the provisions of that Act.

3. Any moneys paid by any persons in respect to any Sinking. sewer constructed with money borrowed under the provisions of this Act shall be paid into and form part of the sinking fund, 1902.

Schedule.

SCHEDULE.

AMOUNT.	PURPOSE.
Not to exceed \$150,000.	For the construction of new sewers.
Not to exceed \$30,000.	For the improvement of the fire department.
Not to exceed \$27,000.	For the widening of Agricola Street.

CHAPTER 50.

An Act to amend the City Compulsory School Act, 1899.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Sub-section 4 amended.
2. Sub-section 1 amended.

SECTION.

3. Sub-section 7 amended.
4. Habitual truants.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Sub-section 4
amended.

1. Sub-section four of section 10 of chapter 56 of the Acts of 1899, "The City Compulsory School Act, 1899," is amended by adding at the end of said sub-section the words "and the prescribed register of any department shall be *prima facie* evidence of the attendance and absence of pupils."

Sub-section 1
amended.

2. Sub-section one of section 18 of said Act, is amended by striking out the words "not exceeding two years," in the seventeenth line thereof, and substituting therefor the words "not less than one year, and not exceeding three years."

Sub-section 7
amended.

3. Sub-section seven of section 18 of said Act, is amended by striking out the word "six" in the fourth line thereof, and substituting therefor the word "three."

Habitual truants.

4. Section 17 of said Act is struck out and the following substituted therefor:

"17. Any child known to the police, truant officer, or officers of the board, to be begging or wandering in the

streets of the city, and found not to be attending any school or engaged in any proper employment during regular school hours, shall be deemed to be and shall be dealt with as an habitual truant; and any child, whose parent or guardian having received notice to appear before the executive committee of the board for failure to comply with section seven of this Act and who thereafter fails to send the child to school as required by this Act for five or more days, not necessarily consecutive during any school term, shall be deemed to be and shall be dealt with as an habitual truant."

CHAPTER 51.

An Act in respect to a Consolidated Fund for the City of Halifax.

Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Interpretation.
2. Consolidated fund.
3. Stock to be issued.
4. Stock, how issued.
5. Certificates.
6. Debentures.

SECTION.

7. Stock book.
8. Debentures Act to apply.
9. Money to be borrowed in provision of this act.
10. Sinking fund. Schedule.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. In this Act the expression "the city" means the city of Halifax. The expressions "the mayor," "the city council," "the treasurer," and "the city clerk" mean respectively the mayor, the council, the treasurer, and the clerk of the city of Halifax. interpretation.

2. There shall be established for the city a consolidated fund to be known as "The city of Halifax consolidated fund, 1905," which shall consist of stock or debentures as hereinafter specified, not exceeding in the whole the sum of three million dollars, together with any additional amount to be hereafter added thereto as hereinafter provided. Consolidated fund.

3. The said stock and debentures to the extent of the said sum of three million dollars shall be issued and applied, Stock to be issued.

(a) To pay off the stock and debentures of the city heretofore issued and now outstanding, as they respectively

fall due or as they are called in by the city as provided by law, and,

(b) For the purposes specified in the Acts of the Legislature mentioned in the schedule to this Act, anything in the said Acts to the contrary notwithstanding,

and to no other purpose whatever. They shall constitute a lien and charge upon the property, real and personal, and the revenue of the city, and shall not be liable to be assessed for any city rates or taxes.

Stock, how
issued.

4. The said stock and debentures may be issued from time to time

(a) in such amounts, and

(b) with such rate of interest, not exceeding five per cent., and

(c) redeemable at such periods

as the city council from time to time determines.

Certificates.

5. Certificates entitling the holders thereof to a share of the said stock may be issued by the treasurer of the city. Each such certificate shall be for the sum of one hundred dollars or some multiple of one hundred dollars, and shall be signed by the mayor and treasurer and sealed with the city seal and countersigned by the city clerk, and may be in the form "A" in the schedule to this Act.

Debentures.

6. The debentures shall be for the sum of one thousand dollars each, and shall be signed and sealed in the manner hereinbefore described in respect to certificates of stock, and may be in the form "B" in the schedule to this Act.

Stock book.

7. (1) The city treasurer shall engross in a book to be kept for that purpose the holder of any share in the said consolidated stock, and any transfer of any such share shall be made in the office of the treasurer. Upon any such transfer the certificate in respect to the stock shall be delivered to the treasurer to be by him cancelled, and a new certificate shall be issued to the new holder of the share. If part only of the stock held by any person is transferred, the certificate for the whole of the stock held by him shall be cancelled and a new certificate issued to himself and the transferee.

(2) Any person so registered as the holder of any share of the said stock shall be deemed *prima facie* to be the creditor of the city for the amount of such share.

8. Any debenture issued under the authority of this Act may be registered in the manner and upon the terms and conditions prescribed by the Municipal Debentures Act. Debentures Act to apply.

(a) The treasurer shall keep an account showing how much of such stock and debentures, respectively, have been issued in respect to the water supply of the city, and subject to the provisions of the City Charter, the interest thereon shall be paid out of the yearly income derived from the said water supply, if sufficient therefor, and the interest on the remainder of such stock and debentures and any deficiency in the income from the water supply, to pay the interest on stock and debentures issued in respect to such supply, shall be paid out of the general revenue of the city.

9. Unless it is otherwise directed in any Act of the Legislature by which the city is hereafter authorized to borrow any money on the credit of the city, any money so borrowed shall be borrowed on stock or debentures issued in conformity with the provisions of this Act, and the amount so borrowed shall be added to and form part of the consolidated fund hereby created. Money to be borrowed in provisions of the Act.

10. The provisions respecting a sinking fund contained in chapter 51 of the Acts of 1902, shall apply Sinking fund

(a) To all sums borrowed under the authority of the Acts mentioned in the schedule, and

(b) To all sums borrowed under any Act of the Legislature hereafter enacted and incorporated with the consolidated fund.

11. This Act may be cited as "The Halifax City Consolidated Fund Act, 1905."

Schedule.

SCHEDULE.

Amounts authorized but not yet borrowed:—

Act.	Amount.	Object.
1885, Chap. 46.	\$10,000	Sewerage.
{ 1874, " 35.	2,000	City Hall.
{ 1891, " 62.		
1890, " 60.	30,000	Purchase of Market Site.
1891, " 62.	12,000	Crematory for garbage.
{ 1890, " 61.		
{ 1891, " 64.	No limit.	Widening Lockman Street.
{ 1897, " 44.		
1891, " 63.	25,000	Inebriates' Home.
1896, " 27.	No limit.	Electric Light Station & Plant.
{ 1896, " 27.		
{ 1897, " 44.	No limit.	Widening Quinpool Road.
1896, " 28.	30,000	Young Avenue Sewer.
{ 1901, " 59.		
{ 1902, " 53.	200,000	Encouragement for Iron Shipbuilding.
\$334,000		

[Form A.]

CITY OF HALIFAX CONSOLIDATED FUND, (STOCK
CERTIFICATE).

This is to certify that
 at the date hereof, is the registered owner in the books of
 the city of Halifax, of _____ shares
 of \$100 each of the consolidated fund of the city of Halifax,
 1905, established under the authority of an Act of the
 Legislature of Nova Scotia, passed on the
 day of A. D. 1905, to establish a con-
 solidated fund for the city of Halifax.

Upon the amount of the shares of said consolidated fund
 standing enregistered to the credit of the owner thereof in
 the books of the city of Halifax, as aforesaid, the city of
 Halifax will pay interest at the rate of per
 cent. per annum, payable semi-annually on first day of
 January and July in each year.

The said shares will be redeemed by payment at the office of the treasurer of the city on the.....day of.....19

Sealed with the seal of the city of Halifax, signed by the treasurer and city clerk, countersigned by the mayor, and enregistered in the books of said city by the city treasurer, this day of 19

Registered on book page

.....Mayor.

(Seal.)

.....Treasurer.

.....City Clerk.

(These shares are transferable at the office of the city treasurer, in the city of Halifax, and not elsewhere; and this certificate must then be given up to be cancelled, or its loss accounted for.)

[Form B.]

CITY OF HALIFAX CONSOLIDATED FUND, 1905.

Debenture No.....

(Transferable by Delivery.)

\$.....

The city of Halifax will pay if unregistered to the bearer hereof, or if registered to the registered holder hereof, the sum of.....dollars in lawful money of Canada at the office of.....at..... in.....years from the date hereof, and interest upon the said sum at the rate of..... per centum per annum, payable half yearly, upon the.....day ofand.....in each year at the said office of.....upon presentation and surrender of the coupons hereto attached.

This debenture forms part of the city of Halifax consolidated fund, 1905, established under the authority of an

Act of the Legislature of Nova Scotia passed on the
.....day of.....A. D. 19....

Dated at Halifax, this.....day of.....A. D. 19

(City Seal)

.....Mayor.

.....Treasurer.

.....City Clerk.

(Coupons attached payable half-yearly.)

CHAPTER 52.

An Act to Amend the Liquor License Act so far as the
same relates to the City of Halifax.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. License fees in the City of Halifax.
2. Sub-section 4, section 14, substituted.
3. Clause (a) substituted.
4. Meaning of "Hotel" and "Shop" li-
cense.

SECTION.

5. Sections 70 and 71 not to apply.
6. Section 74 amended.
7. When license may be granted,

Be it enacted by the Governor, Council, and Assembly, as
follows :—

License fees in
the city of
Halifax.

1. The Liquor License Act, so far as it relates to the
City of Halifax, is hereby amended as follows :

(1) In place of section 9, the following section shall
apply and have effect in the said city :

9. The following license duties shall be payable and shall
be in lieu of all other provincial or municipal duties and
fees :

For each hotel having under twenty-five rooms...	\$200 00
For each hotel having twenty-five rooms, but not exceeding fifty.....	300 00
For each hotel having fifty rooms, but not exceed- ing seventy-five.....	400 00

For each hotel having seventy-five rooms or over. 500 00
 Each shop license..... 200 00
 For each wholesale license the sum of..... 500 00

2. In place of sub-section (4) of section 14, the following sub-section shall apply and have effect in the said city: Sub section 4 section 14 substituted.

(4) The fee for every such license shall be four hundred dollars.

3. In place of the clause marked (a) of section 40, the following clause shall apply and have effect in the said city: Clause (a) substituted.

(a) Within one hundred yards of any railway, other than a street railway, except an hotel license to an hotel containing not less than twenty-five rooms.

4. In place of sub-sections (1) and (2) of section 7, the following sub-section shall apply and have effect in the said city: Meaning of "Hotel" and "Shop" license

A "hotel license" and a "shop license" shall authorize the licensee to sell and dispose of liquors on the licensed premises, provided that not more than two gallons be disposed of at any one time to any one person.

5. Sections 70 and 71 and the clauses marked (a), (b) and (d) of section 72, shall not apply or have effect in the said city. Sections 70 and 71 not to apply

6. In place of the first seven lines of section 74, the following shall be substituted and shall apply and have effect in the said city: Section 74 amended.

(1) Subject to the provisions of section 69, no liquor shall be sold in any licensed premises,

(a) between the hours of nine o'clock Saturday night and seven o'clock on Monday morning following, or

(b) on every other night in the week between the hours of ten o'clock at night and seven o'clock on the following morning.

7. Notwithstanding the provisions of "The Liquor License Act" or of this Act, all proprietors of hotels of not less than twenty-five rooms situate within one hundred yards of a railway and who were so situate on the first day When license may be granted.

of January, 1905. may make application for a hotel license up to the 15th day of May, 1905, and the city council of the city of Halifax, notwithstanding the provisions of "The Liquor License Act" or of this Act, may grant a hotel license or hotel licenses to such applicant or applicants up to and including the 15th day of June, 1905."

CHAPTER 53.

An Act to amend Chapter 26, Acts of 1881, entitled, "An Act to vest the Court House of Halifax in Commissioners, and for other purposes, and Chapter 67, Acts of 1899, in amendment thereof."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section 2, chapter 67, Acts of 1899, repealed and substituted.

Be it enacted by the Governor, Council, and Assembly, as follows :

Section 2, chapter 67, acts of 1899, repealed and substituted.

1. Sub-section 2 of chapter 67, of the Acts of 1899, is repealed and the following substituted therefor :

The Governor-in-Council shall annually appoint one commissioner, the town of Dartmouth one commissioner annually, the municipality of Halifax county shall annually appoint two commissioners, consisting of the warden for the time being of the municipality and one councillor, the Nova Scotia Barristers' Society one commissioner annually and the city council of Halifax shall annually appoint four commissioners consisting of the mayor for the time being and three aldermen. The commissioners so appointed shall for the purposes hereinafter declared form a body corporate and politic under the corporate name of "The Commissioners of the Court House of Halifax." The commissioners shall appoint one of their number to be the chairman of the said corporate body.

CHAPTER 54.

"An Act to amend Chapter 52, Acts of 1902, in relation to the appointment of a Second Medical Officer for the City of Halifax."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Duties of second medical officer.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Chapter 52 of the Acts of 1902, is amended by adding the following section: Duties of second medical officer.

The second medical officer shall, when requested by the city medical officer so to do, assist the city medical officer in making an examination as to the mental condition of any person in respect to whom an application is made for admission to the Nova Scotia Hospital as an insane pauper chargeable to the city, and making the certificate by law required in that behalf.

CHAPTER 55.

An Act to change the name of a settlement in the County of Halifax.

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Name changed.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The settlement in the county of Halifax hitherto known as "Hubbard's Cove," shall, from and after the passage of this Act, be known as "Hubbards." Name changed.

CHAPTER 56.

An Act relating to the assessment of manufacturing industries in the municipality of Halifax.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Assessment, how rated.
2. Extensions, how assessed.
3. Exemption, when removed.

SECTION.

4. Act to cease and determine.
5. Act not to apply to liquids.
6. Assessment for schools.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Assessment,
how rated.

1. Any person or company hereafter erecting any building or purchasing any property for the purpose of establishing a manufacturing industry in the municipality of Halifax, shall be rated in respect to the buildings and machinery therein, or connected therewith, on a sum equal to the purchase price for the site or property acquired by him or them, for that purpose, provided that such purchase price shall not be less than the value at which the property was assessed at the assessment next before the erection of such building or the purchase of such property.

Extensions,
how assessed.

2. Any person or company engaged at the time of the passing of this Act in any manufacturing industry in the municipality of Halifax, who enlarges or extends his or their buildings or machinery now used for such industry shall only be rated in respect to all his or their buildings and machinery on a sum equal to the assessment thereof immediately preceding such enlargement, extension or addition, provided, however, where the enlargement or extension of the building involves the purchase of additional land or property, the purchase price of said additional land or property shall be added to his or their assessment. If the purchase price of such additional land or property is less than the value at which the same was assessed at the time of said purchase then the assessed value thereof shall be added to his or their previous assessment.

Exemption,
when removed.

3. In case the building or property mentioned in this Act shall cease to be used for one year as and for a manufacturing establishment, then the property and machinery shall be assessed at their actual value in the same way as other real and personal property are assessed in said municipality.

Act to cease
and determine.

4. This Act shall cease and determine in ten years from the date of its passage.

5. This Act shall not apply to establishments for the manufacture of liquids. Act not to apply to liquids.

6. All property to which this Act applies, shall be assessed at its actual value and rated on such assessment for the support of public schools. Assessment for schools.

CHAPTER 57.

An Act to amend Chapter 67, Acts of 1898, entitled, An Act to amend Chapter 77, Revised Statutes, "Of Highway Labor," so far as it relates to the County of Halifax.

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Road moneys, how expended.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Chapter 67 of the Acts of 1898, entitled "An Act to amend chapter 77, Revised Statutes, 'Of Highway Labor,' so far as it relates to the county of Halifax," is amended by adding thereto after section 1, the following section: Road moneys, how expended.

1a. All road and bridge moneys granted by the legislature to the municipality of the county of Halifax, or to any municipality in which said chapter 67 has been brought into operation, shall be appropriated and apportioned by the municipal councils of said municipalities respectively, and shall be expended in the manner hereinafter provided.

CHAPTER 58.

An Act to amend Chapter 56, Acts of 1902, entitled, "An Act to consolidate the Acts relating to the Town of Dartmouth."

(Passed the 7th day of April, A. D., 1905.)

SECTION

1. School debentures.
2. Ferry debentures
3. Section 156 amended.
4. Section added.

SECTION.

5. Section 109 amended.
6. Sinking fund.
7. Debentures Act to apply.

Be it enacted by the Governor, Council, and Assembly, as follows:—

School
debentures.

1. For the purpose of raising the money to pay off and discharge certain school bonds maturing on the 8th day of May, A. D. 1906, the mayor of the town of Dartmouth upon being requested thereto by resolution of the town council, shall issue under the seal of the town in the form A in the schedule to the Act hereby amended, debentures not to exceed in the whole the sum of two thousand dollars, such debentures shall be for the sum of one hundred dollars each or any multiple thereof, and to bear interest at such rate, not exceeding five per centum per annum as the town council determines, and shall be redeemable in twenty years from the date of such debentures, and such debentures when so issued shall form a lien and be a charge upon all the real and personal estate situate within the town of Dartmouth, and on all the revenue of the town. The said debentures shall be sold by the town council for the largest amount that can be obtained therefor, and the proceeds shall be placed in some chartered bank to the credit of the town, and shall be withdrawn from time to time, as decided by resolution of the town council, on the cheque of the treasurer, countersigned by the mayor, for the purpose of paying off and discharging said school bonds. No such debentures shall be issued until the issuing thereof has been approved by a vote of the ratepayers as provided by chapter 56, Acts 1902, sections 190 to 195.

Ferry
debentures.

2. Upon the requisition of the Dartmouth Ferry Commission, the mayor of the town of Dartmouth shall issue debentures under the seal of the town for the sum of ten thousand dollars, in such amounts and bearing such rate of interest, not exceeding five per cent. as the Dartmouth Ferry Commission determines by resolution, in which de-

bentures it shall be provided that the same may be redeemable at the expiration of twenty-five years from the issuing thereof, the proceeds of which debentures shall be used for the purposes of establishing new station houses for the Dartmouth Ferry Commission and for altering and renovating the ferry docks and for any other improvements which the said Ferry Commission shall determine to be necessary for the erecting and establishment of such station houses. Such debentures shall be as nearly as may be in the form in schedule A to chapter 56 of the Acts of 1902. No such debentures shall be issued until the issuing thereof has been approved by a vote of the ratepayers, as provided by chapter 56, Acts 1902, sections 190 to 195.

3. Section 154 of chapter 56 of the Acts of 1902, is Section 156 amended. hereby amended as follows: -

After the word "therein" in the eleventh line of said section shall be inserted the words following: "and for licensing or permitting persons to erect temporary booths or stalls or allowing upon the grounds any cart, waggon or other vehicle for the sale of refreshments or other goods or for such other purposes as the board shall approve, and to impose such fee for such license as the board shall determine under such regulations.

4. After section 154 the following section shall be Section added. added:

"Any person or persons who shall erect or attempt to erect any such booth or stall, or shall bring upon the grounds any cart, waggon or vehicle for the purpose of vending refreshments or any other goods without license duly obtained therefor, or who shall infringe any of the regulations so made, shall be liable to be summoned or to arrest on view by any park keeper or peace officer, and conveyed to the police station or lockup, and on summary conviction be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment in the county jail for not more than twenty days."

5. Section 109 of chapter 56 of the Acts of 1902, is Section 109 amended. hereby amended by inserting the words "or on any premises" after the word "building" on the third line, and striking out the words "or the superintendent" after the word "clerk," on the fourth line.

5. Section 110 of chapter 56 of the Acts of 1902, is hereby amended by striking out all the words after the word "out" on the fourth line and inserting the following, "the blank form of certificate and return it to the town clerk showing the number and kind of fixtures and alterations made."

Sinking fund.

6. In order to provide a sinking fund for the payment of the debentures authorized to be issued under this Act, the town council shall annually include in the estimates of the sums required for the purposes of the said town such sum as may by resolution be determined by the said council, not however to be less than two per cent. of the amount to be borrowed under the provisions of this Act, and such sums shall be rated and collected in the same manner and with the same remedies as other rates and taxes in the said town are rated and collected.

Debentures Act to apply.

7. The provisions of the Municipal Debentures Act, 1902, and amendments thereto, shall apply to the loans authorized by this Act in so far as the same are not inconsistent with this Act.

CHAPTER 59.

An Act to amend Chapter 174, Acts of 1903, entitled, "An Act to incorporate the City of Sydney."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Vacancies in Council, how filled.
2. Section 91 amended.
3. Section 99 amended.
4. Section 100 amended.
5. Section 101 amended.
6. Section 147 amended.
7. Section 171 added to.
8. Section 172 amended.
9. Section 173 amended.
10. Section 175 amended.
11. Section 175 amended.

SECTION.

12. Section 200 amended.
13. Section 246 amended.
14. Section 306 added to.
15. Section 310 amended.
16. Section 311 amended.
17. Section 314 amended.
18. Section 314 further amended.
19. Certain amendments, when effective.
20. Section 331 added to.
21. Section 87 added to.
22. Section 273 added to.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Vacancies in Council, how filled.

1. Section 21 of chapter 174, Acts of 1903, entitled, An Act to incorporate the City of Sydney, is amended by adding thereto the following sub-sections:

(a) "In the event of two aldermen being elected from the same ward at the same time, the alderman receiving the least number of votes at said election shall first retire."

(b) "When a vacancy occurs in the office of mayor or alderman, the city council shall forthwith by resolution appoint a time, not less than twenty-one days after the passing of such resolution, for holding an election to fill such vacancy: provided however, that if such vacancy occurs within three months of the next regular annual election, the city council may in its discretion leave the vacancy unfilled until such next annual election."

(c) "The election to fill such vacancy shall be conducted in the same manner as a regular annual election, except that the nomination papers shall be delivered to the city clerk not later than five of the clock in the afternoon on the nomination day, which shall be one week previous to the day fixed by the council for the polling."

2. Section 91 is amended by striking out the word "by-law" in the first and eleventh lines thereof, and substituting therefor the word "resolution." Section 91 amended.

3. Section 99, sub-section A, is amended by striking out all the words after the word "thereto," in the sixth line. Section 99 amended.

4. Section 100 is amended by striking out the word "eighteen," and substituting the word "twenty-one," in the first line thereof, and by striking out the following words: "except active members of fire companies and members of protection companies and salvage corps," and by adding thereto the following sub-sections: Section 100 amended.

(a) "Male persons between the ages of eighteen and twenty-one residing within the city during any portion of the year, shall pay a poll tax of two dollars, to be collected in the same manner as the poll tax mentioned above."

(b) "All active members of fire companies, and members of protection companies and salvage corps shall be exempt on their taxes to the extent of five dollars."

5. Section 101 is amended by adding thereto the following: Section 101 amended.

(a) "All employers of labor within the city are required, whenever a demand is made upon them by the city assessor,

to furnish him with a list of workmen in their employ over the age of eighteen. Any employer refusing to give such information when demanded shall be liable, for each refusal, to a penalty of not less than twenty dollars nor more than one hundred dollars, at the discretion of the magistrate hearing the case."

(b) "Penalties under the foregoing may be recovered by summary proceedings before the stipendiary magistrate of the city, or in his absence, before the deputy stipendiary magistrate, in the manner that by-laws of the city council may be enforced under the authority of this Act."

Section 147
amended.

6. Section 147 is amended by inserting after the word "defaulters," in the fifth line, the following words: "or the treasurer may issue several general warrants in the same form, having attached to each the schedule of as many of such defaulters as the treasurer may deem expedient."

Section 171
added to.

7. Section 171 is amended by adding thereto the following sub-section:

(a) "In making up the schedule on the first day of March, 1906, such schedule may also contain all the real property in respect of which any rates or taxes are overdue and unpaid for the years 1901, 1902, 1903, 1904, as well as for the year immediately preceding the making up of said schedule."

Section 172
amended.

8. Section 172 is amended by striking out the word "April," and substituting the word "May," in the ninth line thereof.

Section 173
amended.

9. Section 173 is amended by striking out the word "April," and substituting the word "May," in the second line thereof.

Section 175
amended.

10. Section 175 is amended by striking out the word "May," and substituting the word "June," in the second line thereof.

Section 175
amended.

11. Section 175, sub-section (c), is amended by striking out the words "31st day of December," and substituting therefor the words "1st day of July," in the third line thereof.

Section 200
amended.

12. Section 200 is amended by striking out the words.

"20th day of August," in the second line, and substituting therefor the words "25th day of April."

13. Section 246 is amended by adding thereto the following: Section 246 amended.

"All bills or accounts passed by the board of health, or certified by the chairman thereof, shall before payment be first approved by the city council."

14. Section 306 is amended by adding thereto the following: Section 306 added to.

"And all the provisions of 'The Nova Scotia Franchise Act,' in so far as they are not inconsistent with this Act, shall be applicable."

15. Section 310 is amended by striking out the words "fifth day of July," and substituting therefor the words "twentieth day of March," in third line thereof. Section 310 amended.

16. Section 311 is amended by striking out the word "July," and substituting therefor the word "March," in the second line thereof. Section 311 amended.

17. Section 314 is amended by striking out the word "July," and substituting therefor the word "March," in the seventh line thereof, and by striking out the word "August," and substituting the word "April," in the ninth line thereof, and by striking out the word "August," and substituting the word "April," in the twelfth line thereof, and by striking out the word "August," and substituting the word "April," in the fourteenth line thereof, and by striking out the word "September," and substituting the word "May," in the sixteenth line thereof, and by striking out the words "eighteenth day of September," and substituting the words "fifth day of June," in the eighteenth line thereof. Section 314 amended.

18. Section 314 is further amended by adding thereto the following: Section 314 further amended.

"The sheriff shall attend at his office from the 21st to the 31st day of May both inclusive, so many days as are necessary to hear appeals. The lists shall be made up, signed and deposited with the city clerk on or before the 5th day of June."

Certain amend-
ments, when
effective.

19. The amendments to the forgoing sections numbered 14, 15, 16, 17 and 18, shall not come into force or have effect until the first day of January, A. D. 1906.

Section 331
added to.

20. Section 331 is amended by adding thereto the following sub-section :

(d) " Any person guilty of any of the offences mentioned in this section, shall be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for not more than thirty days."

Section 87
added to.

21. The following sub-sections are added to section 87 :

(1) " The council before applying to the Legislature for authority to borrow money for any extraordinary expenditure in excess of five thousand dollars in any one year, shall submit the question of the proposed expenditure to a vote of the ratepayers, and shall obtain the approval of a majority of such ratepayers voting thereon."

(2) " The voting upon such questions shall be by ballot at the election for mayor and aldermen for the city of Sydney, to be held on the first Tuesday of March, being the date of the annual election for mayor and aldermen for said city, or on a day to be fixed by a resolution of the city council not less than ten days after the passing of the resolution, and every elector entitled to vote at such election shall be entitled to vote upon such questions."

(3) " If the vote on such questions should be taken on a day other than the day fixed for the annual election of a mayor and aldermen, or if the vote on such questions be taken on the day of the said annual election and no election for mayor or aldermen is held in any ward or wards of the city, the city of Sydney shall provide a suitable place in such ward in which the vote upon such questions may be taken, and appoint one or more officials to receive and conduct the voting in such place, and any official so appointed shall be entitled to the same remuneration as that paid to the corresponding official in the case of an election for mayor or aldermen, and be possessed of the like powers and privileges."

(4) " If said vote is taken on the day of the annual election of a mayor and aldermen it shall be the duty of every presiding officer to ask every elector voting at his polling station for mayor or aldermen if he wishes to vote

upon such questions, and to tender him a ballot paper for that purpose."

22. Section 273 is amended by adding thereto the following sub-section. Section 273 added to.

273. (a) The plan of the east and west commons of the city of Sydney, now on file in the office of the city clerk, which was confirmed by resolution of the city council on February 17th, 1905, is hereby approved and confirmed.

CHAPTER 60.

An Act to confirm the assessment roll and rate book of the city of Sydney for the year 1904

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Assessment and rate book confirmed.

SECTION.

2. Pending litigation not affected.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The assessment for the city of Sydney for the year 1904, the rate fixed by the city council and the rate book for said year are hereby confirmed and declared to be legal, valid and binding for all purposes. Assessment and rate book confirmed.

2. Nothing in this Act contained shall be construed so as to affect any pending litigation. Pending litigation not affected.

CHAPTER 61.

An Act respecting the assessment of the Dominion Coal Company, Limited, in the City of Sydney.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

Preamble.

1. Certain properties liable for taxation.

SECTION.

2. When assessment to be made.

3. Notice of assessment to company.

Preamble.

Whereas, doubts have arisen as to whether certain portions of railways within the city of Sydney owned by the Dominion Coal Company, Limited, and used by them exclusively for their own purposes, are exempt from taxation under the provision of the Assessment Act;

And whereas, it is expedient that any doubts in respect to said taxation should be removed;

Be it enacted by the Governor, Council, and Assembly, as follows:—

Certain properties liable for taxation.

1. The following properties owned by the said Company, namely, that portion of the line of railway from the shipping piers on Sydney Harbor to the junction at the coke ovens and the said shipping piers, and the portion of the old Sydney and Louisburg Railway, including the coal yard, from Prince Street to the harbor, shall be liable to taxation for all purposes for which rates may be lawfully levied in the city of Sydney.

When assessment to be made.

2. The assessor for the city of Sydney may at any time before the 15th day of May, 1905, proceed to assess said company for said properties, and said assessment shall be added to the assessment roll for 1905, and the rates thereon at the rate fixed for the year 1905 shall be levied and collected in the same manner as the rates on other property.

Notice of assessment to company.

3. The assessor shall forthwith give ten days' notice in writing of said assessment to the said company, who shall have the right to appeal to the city council at its next regular meeting after said notice is received, and the council shall have power to reduce said assessment and amend the assessment roll accordingly.

CHAPTER 62.

An Act to enable the City of Sydney to exempt from taxation the buildings, machinery and stock of the Canada Nail and Wire Works, Limited.

(Passed the 7th day of April, A. D. 1905.)

SECTION 1. Power to exempt.

Be it enacted by the Governor, Council, and Assembly, as follows :—

1. The city of Sydney is hereby authorized and empowered by resolution of the city council to exempt from taxation for a period not exceeding twenty years, the buildings, and machinery of the Canada Nail and Wire Works, Limited, used for manufacturing purposes in the said city of Sydney. Power to exempt

Provided that no exception shall be granted under this section unless the business of manufacturing articles of merchandize from wire rods of not less than one inch in diameter is carried on, and not less than thirty persons are employed therein. Said exemption shall only extend to property actually in use for the purposes of such business, and shall not include school and water rates and any special charges for betterments.

CHAPTER 63.

An Act to enable the Town of North Sydney to borrow money.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Power to borrow.
2. Money, how borrowed.
3. Lien.
4. Money, how paid.
5. Money, how collected.

SECTION.

6. Sinking fund.
7. Town meeting.
8. Evidence of resolution.
9. Approval of ratepayers.

Be it enacted by the Governor, Council, and Assembly, as follows :—

1. The town of North Sydney, is authorized to borrow Power to borrow.

a sum not exceeding twenty thousand dollars for the following purposes, that is to say :—

(a) A sum not exceeding fifteen thousand dollars for the purpose of paying off existing liabilities of said town.

(b) A sum not exceeding five thousand dollars for water service extension and providing further or additional supplies of water for the said town.

Money, how
borrowed.

2. For the purpose of effecting the said loan the said town is empowered to make and issue from time to time, as its council deems expedient, the town's debentures, bearing interest at such rate as the council determines, not exceeding, however, five per centum per annum payable half-yearly and redeemable in thirty years from the issue thereof. Such debentures shall be issued under the provisions of the Municipal Debentures Act, 1902, and Acts in amendment thereof, in so far as the same are not inconsistent with this Act.

Lien.

3. Such debentures shall form a lien upon, and be a charge against, the property liable to taxation within the town of North Sydney and all the revenues of the town.

Money,
how paid.

4. The money borrowed under the provisions of this Act shall be paid into the hands of the treasurer of the town of North Sydney, and shall by him be paid out as the town council of said town determines for the purposes mentioned in the first section of this Act, and for no other purpose.

Money,
how collected.

5. The town council shall annually add to the amount to be rated and levied upon the real and personal property of the town for general purposes, a sufficient sum to pay said interest and the expenses of collecting and disbursing the same, and shall also provide for the payment of the principal of said debentures as they mature as hereinafter provided.

Sinking fund.

6. In order to provide a sinking fund for the payment and redemption of said debentures at maturity, the Council of the town of North Sydney shall annually add to the amount to be rated and levied upon the town of North Sydney such sum as the council by resolution determines, not, however, in any case to be less than two per cent. of the amount borrowed under this Act, and such sum shall be rated and levied annually upon the property of the rate-

payers of the town liable to assessment, and shall be levied and collected in the same way and with the same remedies as ordinary rates and taxes.

7. This Act shall not take effect until the same is adopted by a meeting of the ratepayers of the town, duly convened in accordance with the provisions of sections 143 and 144 of the Towns' Incorporation Act. And it shall be lawful for the said meeting to direct the town council to borrow the whole, or from time to time any part, of the sums mentioned and set out in sub-sections *a* and *b*. Town meeting.

8. A certificate under the hand of the mayor and town clerk, and under the corporate seal of the town, of a resolution passed under the next preceding section of this Act, shall be conclusive evidence of the adoption of the Act, and of the passing of the resolution provided for in said section. Evidence of resolution.

9. Upon approval by vote of the ratepayers, in accordance with the provisions of sections 143 and 144 of the Towns' Incorporation Act, the town council of the said town is authorized to borrow the sum of twenty thousand dollars, in whole or in part, or in such amounts from year to year as the said council by resolution declares to be necessary and expedient, but so that the amount so borrowed shall not in the aggregate exceed the said sum of twenty thousand dollars. Approval of ratepayers.

CHAPTER 64.

An Act to enable the Town of North Sydney to grant a bonus and exemption from taxation to the North Sydney Marine Railway.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to grant bonus.
2. Debentures.
3. Lien upon property.
4. Money, how paid.
5. Principal and interest, how provided.

SECTION.

6. Sinking fund.
7. Debentures Act to apply.
8. Town meeting not necessary.
9. Exemption from taxes.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Upon the North Sydney Marine Railway going into Power to grant bonus.

active operation, the town council of the town of North Sydney may, by resolution, grant to the owners of the said marine railway a bonus not to exceed three thousand dollars (\$3,000), upon such conditions, and payable at such time and times as the said council, by such resolution, determines.

Debentures.

2. The town of North Sydney is authorized, if the said bonus is granted, to borrow on debentures a sum not to exceed three thousand dollars (\$3,000), bearing interest at a rate not exceeding five per centum per annum, payable half yearly, and redeemable at such period, not exceeding thirty years, as the town council of said town determines.

Lien upon property.

3. Such debentures shall form a lien upon, and be a charge against, the property liable to taxation within the town of North Sydney and all the revenues of the town.

Money, how paid.

4. The money borrowed under the provisions of this Act shall be paid into the hands of the treasurer of the town of North Sydney; and shall by him be paid out as the town council of said town may determine, for the purposes contained in the first section of this Act, and for no other purposes.

Principal and interest, how provided.

5. The town council shall annually add to the amount to be rated and levied upon the real and personal property of the town for general purposes, a sufficient sum to pay said interest and the expenses of collecting and disbursing the same, and shall also provide for the payment of the principal of said debentures as they mature as hereinafter provided.

Sinking fund.

6. In order to provide a sinking fund for the payment of the debentures authorized to be issued under this Act, the town council shall annually add to the general assessment to be levied on the ratepayers of the said town such sum as may, by resolution, be determined by the town council, not, however, to be less than two per cent. of the amount borrowed under the provisions of this Act, and such sum shall be rated and collected in the same manner and with the same remedies as other rates and taxes in the said town are rated and collected.

Debentures Act to apply.

7. Such debentures and the sinking fund in connection therewith, shall be subject to the provisions of the Municipal Debentures Act, 1902, in so far as the same are not inconsistent with this Act.

8. Inasmuch as the ratepayers of the said town have in the manner by law provided, already authorized the town council to apply to the legislature for authority to borrow said moneys and to make said expenditures, it shall not be necessary to convene any additional meeting of the said ratepayers either under the provisions of the "Towns' Incorporation Act," or under this Act, as a condition precedent to the borrowing of the moneys, the issuing of the town's debentures therefor or the doing of any matter or thing by this Act authorized. Town meeting not necessary.

9. The town council of the said town is authorized to grant exemption from taxation, of all the property of the owners of the said North Sydney Marine Railway, of and in connection with the said marine railway, for a period not exceeding ten years from the time when the said marine railway shall go into active operation as aforesaid. Provided, however, that the said exemption shall not apply to any building used as a dwelling house or for any purpose not connected with the business of the company, nor to the land upon which the same is erected, nor shall the said exemption extend to or include sewer rates, water rates, school rates, or any special assessments for betterments on lands owned by the said North Sydney Marine Railway Company. And further provided, that the said company shall not be relieved or exempted from taxation within the said town of North Sydney, as set out in this section, until the town council has pronounced in favor of such relief or exemption. Exemption from taxes.

CHAPTER 65.

An Act to enable the Town of Glace Bay to borrow Money.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

- Preamble.
1. Power to borrow.
2. Debentures.
3. Money, to whom paid.

SECTION.

4. Money, how paid.
5. Sinking fund.
6. Money, when deposited.

Whereas, pursuant to public notice legally given, a meeting of the ratepayers of the town of Glace Bay was convened at the town of Glace Bay on the 24th day of October, A. D., 1904, and Preamble.

Whereas, a vote of the ratepayers present having been legally taken and recorded, the following resolutions were passed at said meeting by a majority of said ratepayers:—

- (a) *Resolved*, that this public meeting of the ratepayers of the town of Glace Bay, duly convened in accordance with the ordinance of the said town and held this 24th day of October, A. D. 1904, do hereby authorize the said town of Glace Bay, through its town council to expend the sum of \$10,000.00 for the purpose of building a "brick power house," or electric light station for electric light machinery in connection with the town electric light system, and to borrow on the credit of the town the said sum of \$10,000.00 for the said proposed expenditure.
- (b) *Resolved*, that this public meeting of the ratepayers of the town of Glace Bay, regularly convened in accordance with the ordinance of said town, and held this 24th day of October, A. D. 1904, do hereby authorize the said town of Glace Bay, through its town council, to expend the sum of \$15,000.00 for additional electric light machinery for the town electric system, and to borrow on the credit of the town the said sum of \$15,000.00 for the said proposed expenditure.

Be it therefore enacted by the Governor, Council, and Assembly, as follows:—

Power to
borrow.

1. The town of Glace Bay is hereby empowered to borrow on the credit of the said town, and of the assessable property therein, a sum of money not exceeding \$25,000 00 for the following purposes, that is to say:—

- (a) The sum of \$10,000.00 for the purpose of building a "brick power house," or electric light station, for electric light machinery in connection with the town electric light system.
- (b) The sum of \$15,000.00 for the purpose of buying additional electric light machinery for the town electric light system.

Debentures.

2. Such sums shall be borrowed on debentures, and the town council is hereby authorized to make and issue at one.

time or from time to time, as they may deem expedient, debentures and coupons in the form specified in the "Municipal Debentures Act of Nova Scotia, 1902," bearing interest at a rate not exceeding five per cent. per annum, payable semi-annually, and to be redeemable at periods not exceeding thirty years from the date of issue thereof, provided that the whole amount of such debentures shall not exceed the sum of twenty-five thousand dollars. Such debentures shall not be issued for a less sum than five hundred dollars each and shall be signed by the mayor and by the clerk of the said town, and such debentures, when issued, shall form a lien and be a charge upon all the real and personal estate and property of or situate within the town of Glace Bay, and all the revenues of the town, and all the property, real and personal, of the electric light system of said town. Such debentures shall state the object for which the proceeds of the debenture loan are to be used and shall be styled "Electric Light Machinery Debentures, or Power House Debentures," as the case may be.

3. The money borrowed under the provisions of this Act shall be paid into the hands of the town clerk and treasurer of the town of Glace Bay, and shall by him be paid out as the town council of said town may determine for the purposes mentioned in section one of this Act, and for no other purpose. Money, to whom paid.

4. The town council shall annually add to the amount to be rated and levied upon the assessable property of the town for general purposes a sufficient sum to pay said interest on such debentures and the expenses of collecting and disbursing the same, and shall also provide for the payment of the principal of said debentures as they mature as hereinafter provided. Money, how paid.

5. In order to provide a sinking fund for the payment of the debentures authorized to be issued under this Act, the town council shall annually include in the estimates of the sum required for the purposes of the said town, such sum not however to be less than two per cent. of the amount borrowed under the authority of this Act as the council determines, and such sum shall be rated, levied and collected in the same manner and with the same remedies as other rates and taxes in said town are rated levied and collected. Sinking fund.

6. Such sums when so collected shall be deposited in some chartered bank in the province of Nova Scotia, bear- Money, when deposited.

ing interest, to the credit of accounts to be called "The Town of Glace Bay Electric Light Station, Sinking Fund Account," and "The Town of Glace Bay Electric Light Machinery, Sinking Fund Account," as the case may be, and shall, with interest thereon, be used for paying off the debentures issued under this Act, and for no other purpose.

CHAPTER 66.

An Act to amend Chapter 69, Acts of 1903-4, entitled,
"An Act to enable the Town of Glace Bay to
borrow money."

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Section 12 amended.

SECTION.

2. Amendment, how construed.

Be it enacted by the Governor, Council, and Assembly,
as follows:—

Section 12
amended.

1. Section 12, of chapter 69, Acts of 1903-4, is amended by striking out the words "fifty cents" after the word "exceed," in the tenth line thereof, and substituting therefor the words "one dollar."

Amendment,
how construed.

2. Said amendment shall be construed and be as effectual as if the same had been contained in the said section 12, originally.

CHAPTER 67.

An Act relating to the Extension of the Water Supply in the Town of Glace Bay.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to supply water.
2. Power to enter upon lands.
3. Power to open streets.
4. Power to acquire lands.
5. Compensation for damages.
6. Service pipes, how laid.
7. Engineer to be employed.
8. Power to borrow money.
9. Debentures.
10. Money, to whom paid.

SECTION.

11. Income of water supply, how applied.
12. Sinking fund.
13. By-laws.
14. Penalties.
15. Effect of by-laws.
16. Water commissioners.
17. When Act shall take effect.
18. Adoption of Act, how evidenced.
19. Debentures Act to apply.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The town council of the town of Glace Bay, is hereby authorized and empowered to provide for the town of Glace Bay, not already supplied, a good and sufficient supply of water for domestic, fire and other purposes, and in order to obtain such supply to enter into a contract or contracts for that purpose by tender or otherwise, or in any manner or way in the discretion of the town council, to construct works, to lay pipes, to build dams and reservoirs, to acquire lands, and to do all things necessary to be done in the premises. Power to supply water.

2. For the purpose of obtaining the said supply of water the town council is hereby authorized and empowered to enter upon any lands within the limits of the town of Glace Bay, and upon any lands in the county of Cape Breton outside the limits of the town of Glace Bay, to enter upon the bed of any river, lake or stream whatsoever in the county of Cape Breton or in the town of Glace Bay, and to build dams, reservoirs, or other works wherever necessary, and to cause the water to overflow the land bordering on such river, lake, stream or springs, and to take from such river, lake, stream or springs such quantity or quantities of water as may be required; and in the construction, building or repairing of any dams, or reservoirs, and in the laying down, construction, repairing or alteration of any main or service pipe, or other structure under the provisions of this Act, the mayor, councillors, or any or either of them, by themselves, engineer or engineers, superintendent, agents or servants or workmen, shall have full power, and they are hereby authorized from time to time as occasion requires to Power to enter upon lands.

enter upon any lands or tenements, inhabited or uninhabited, both within the said town or outside of the same, and may remain thereon as long as they deem requisite for the proper execution of the work, and make all such excavations on the premises as may be expedient, and take up and remove any floors, timbers, planks, walls, fences or erections whatsoever, doing no unnecessary damage to the said lands, tenements or the floors, timbers, planks, walls, fences or erections whatsoever, and carefully replacing the said floors, timbers, planks, walls, fences or erections whatsoever as far as can be, on the requisite work being performed.

Power to
open streets.

3. It shall be lawful for the town council, from time to time, for the purposes of this Act, and for the repairing of any works constructed thereunder, to open the roads, streets and highways within the town and those outside of the town, when necessary, and to keep such road, street or highway, open for such reasonable time as is necessary, and to cause such reservoirs, tanks, fountains, hydrants, leaders, pipes and tubes, to be laid and placed on or under such roads, streets, and highways as are necessary and proper, the said town council closing up, repairing, making good such roads, streets and highways, and said town shall continue to be the owner of all such reservoirs, tanks, fountains, hydrants, leaders, pipes and tubes, and other work which may from time to time be constructed under the authority of this Act notwithstanding that the same may be laid under or built under any highway or other property not belonging to the town.

Power to
acquire lands.

4. Whenever it is necessary for the securing of such supply of water required by this Act, the laying down or placing of any reservoirs, tanks, fountains, pipes, leaders, or tubes, or for any purposes whatsoever, under this Act that the town shall be invested with the title or possession of or in any lots or parcels of lands and premises, situated anywhere, either in the town, or outside the corporation limits, it shall, and may be lawful for the town council, in case they cannot agree with the proprietors of such lands, respectively for the purchase or lease thereof, as may be required, to give notice in writing to the party whose lands are intended to be taken, or to his agent, that the said lands are required for the purposes of the town under this Act, and shall request the party or his agent, whose land it is proposed to take or occupy, to appoint one arbitrator, and the council shall appoint one arbitrator, and a judge of the supreme court shall appoint a third arbitrator, and the

arbitrators so appointed shall proceed to determine the damages, if any, and the valuation of said lands, and award the same to be paid the owner or occupier, as the case may be, whose award, or the award of any two of them, shall be final and conclusive, provided the town council decide to take such lands; and thereupon the town shall pay and satisfy within six months to those entitled to receive the same, the full amount of such award or valuation, and immediately upon the payment or tender of the sum awarded, as aforesaid, to the owners, or, in case of dispute, to such parties as a judge of the Supreme Court shall decide, the town shall be and be deemed the rightful purchasers and owners, in fee simple, of such lot or parcel of land with the appurtenances, if the said award be for the purchase thereof, or otherwise the tenant thereof, or the owner of such interest therein, for such time as in such award is set forth. And in case the proprietor of such lands neglects or refuses to appoint an arbitrator within thirty days after due notice as aforesaid, or in case the proprietor cannot be found or is absent and has no known agent residing in the province, a judge of the Supreme Court may appoint such arbitrator who shall be disinterested and not a resident of Glace Bay. If the town council has reason to fear any claims or encumbrances, or if any party to whom compensation is payable cannot be found, or is unknown, or if for any reason the town council may deem it advisable the council may pay such compensation into the office of the prothonotary of the Supreme Court of the county of Cape Breton; and a judge of such court shall by order, direct it to be deposited in some bank, there to remain until by him or any other judge of said court, directed to be paid out to the party entitled thereto. Upon paying such compensation into court the council shall deliver to the prothonotary aforesaid a copy of the award, and such award, or a certified copy thereof, under the hand and seal of the prothonotary aforesaid, together with his receipt for the amount awarded, when registered in the registry of deeds office for the county of Cape Breton, shall vest in the town, and shall thereafter be deemed to be the title of the town to the property therein mentioned.

5. In the event of any damage being done in the execution of the work the party sustaining such damage shall be entitled to receive such compensation as is mutually agreed upon; and in case no such agreement can be made, three appraisers, one to be appointed by the party sustaining such damage, one to be appointed by the town council, and the third to be appointed by the two appraisers already so

Compensation
for damages.

appointed, shall view the premises and determine the damages, if any, with or without hearing evidence in the matter, the decision of such appraisers or any two of them to be final and binding on the parties, and the amount so assessed to be paid within three months thereafter. In case the party sustaining such damage shall not appoint an appraiser as aforesaid within thirty days from the service upon him of a notice in writing requesting him to appoint such appraiser, the judge of the county court for district number seven may appoint such appraiser.

Service pipes,
how laid.

6. The service pipes for water supply to houses, buildings or establishments, which are to be supplied with water under this Act, shall be carried from the main to the side line of the street at the expense of the town when requested by notice in writing from the owner of any house opposite to which a main is laid, and all beyond that distance at the expense of the owner of the premises so supplied.

Engineer to
be employed.

7. The council may employ and pay a competent engineer and assistant to make surveys and plans of the streets within the town of Glace Bay, wherein the water system is extended under this Act, showing the surface of the streets as existing, and the permanent levels to be thereafter made, which levels when approved by the town council shall be and remain the permanent levels. The plans shall be filed in the office of the town clerk as public records of the same.

Power to
borrow money.

8. For the purpose of raising the necessary funds to obtain for the said town of Glace Bay the said extension of its water supply and to carry into effect the work contemplated by this Act, the town council is hereby empowered and authorized to borrow on the credit of the said town and of the assessable property therein a sum of money not exceeding one hundred and twenty-five thousand dollars.

Debentures.

9. Such sum shall be borrowed on debentures and the town council is hereby authorized to make and issue at one time or from time to time as they may deem expedient, debentures in the forms and coupons specified in "The Municipal Debentures Act of Nova Scotia, 1902," bearing interest at a rate not exceeding five per cent. per annum, payable half yearly, and to be redeemable at periods not exceeding twenty years from the date of issue thereof, provided that the whole amount of such debentures shall not exceed the sum of one hundred and twenty-five thousand dollars. Such debentures shall be issued for the sum of one hundred dol-

lars or some multiple thereof each, and shall be signed by the mayor and clerk of said town, and such debentures, when so issued, shall form a lien upon and be a charge upon all the real and personal estate and property of or situate within the town of Glace Bay and all the revenues of the town. Such debentures shall state the object for which the proceeds of the debenture loan are to be used, and shall be styled: "Water Extension Debentures."

10. The money borrowed under the provisions of this Act shall be paid into the hands of the town clerk and treasurer of the town of Glace Bay, and shall by him be paid out as the town council of said town may determine, for the purposes mentioned in this Act and for no other purpose. Money, to whom paid.

11. The moneys accruing from the annual income of the water supply when extended, shall be appropriated and applied in the first place to discharge the current expenses incurred in the execution of the requirements of this Act; and in the next place towards the payment of the half yearly interest of the debentures issued under the authority of this Act; and in case the whole income shall not be sufficient for the purposes above mentioned, the deficiency shall be made good and supplied by an annual rate under the provisions of this Act, or by any by-law made under authority of this Act. Income of water supply, how applied.

12. (1) For the purpose of providing a sinking fund for the payment of the debentures authorized to be issued under this Act, after five years from the date of the first issue of such debentures the town council shall annually add to the amount to be rated upon the town such sum as may by resolution be determined by the said council, not however, to be less than one per cent. of the amount borrowed under the provisions of this Act, and such sum shall be rated and collected in the same manner and with the same remedies as other rates and taxes in said town are rated and collected. Sinking fund.

(2) Such sums when collected, shall be deposited in some chartered bank in the province of Nova Scotia to the credit of an account to be called "The Glace Bay Water Works Extension Sinking Fund Account," on deposit bearing interest and such sums shall be used for payment of the debentures issued under the provisions of this Act and for no other purpose.

By-laws.

13. The town council have full power from time to time to make such ordinances, by-laws, rules and regulations as such council deems requisite and necessary for regulating the supply of water by means of the said system when extended under the provisions of this Act, and for preventing any person, firm or corporation supplied with water from wasting, vending or improperly disposing of the same, and for prohibiting the use of the water by other than those to whom the same may be by the town supplied, and for prevention of bathing, fishing, trespassing or creating a nuisance in or about any reservoir or stream belonging to or used in connection with the said system, whether the same shall be within the boundaries or not, of said town. And said town council shall also have full power to lay off and define such portion or portions of the area of the town of Glace Bay approximate to, or in the vicinity of the main and service pipes, as they deem requisite into a water district defined by such boundaries or pipe line, and to levy upon the assessable property lying within and without such boundary or pipe line respectively, such portions of the water rates as they deem expedient or requisite, and shall also have power to make such ordinances, by-laws, rules and regulations as to them may seem expedient for the purpose of defining what proportion of the water rates shall be levied on assessable property within the said boundary or pipe line, and what proportion, if any, shall be levied on property not within such boundary or pipe line, and all rates and taxes rated or assessed under the provisions of this Act shall be collected or enforced in the same manner and with the same remedies as ordinary taxes are now or may hereafter be collected or enforced, and also generally regarding every matter or thing which may be necessary or expedient to regulate or direct the carrying out the provisions of this Act, and in order to secure the inhabitants of the town a continued and abundant supply of water.

Penalties.

14. The town council may enforce such by-laws, rules and regulations by affixing penalties for the violation thereof, and provide that in default of payment thereof any such penalty may be levied by distress and sale of the goods and chattels of the offender and may enact in and by any such by-law in case any such offender being other than a body corporate, that such offender may in the discretion of the stipendiary magistrate either in default of immediate payment or for want of goods and chattels whereon to levy to satisfy such penalty and costs, be imprisoned for such period as in the said by-law shall be prescribed. Such prosecution shall be brought before the stipendiary magistrate of the town

under the provisions of chapter 161, Revised Statutes, 1900, and Acts in amendment or in substitution thereof, and such stipendiary magistrate may in and by any conviction, award costs against such offender.

15. Said by-laws and each of them when passed by the town council and approved by the Governor-in-Council, shall have the force of law and be as valid and effectual as if the same and each of them were incorporated in and formed a part of this Act. The production of a copy of said by-law so approved, purporting to be certified under the hands of the mayor and town clerk and the seal of the town of Glace Bay, shall be sufficient proof thereof in any court of justice. Effect of by-laws.

16. It shall be lawful for the town council to appoint three persons, one of whom may be a member of the town council, to be called water commissioners, who shall hold office at the pleasure of the town council, and who shall have such powers and perform such duties relating to the construction of the work contemplated by this Act, or otherwise, as the town council may direct, and who may be remunerated for their services at the discretion of the council. Water commissioners.

17. This Act shall not take effect until the same is adopted by the ratepayers of the town, duly convened in accordance with the provisions of sections 143 and 144 of "The Towns' Incorporation Act." When Act shall take effect.

18. A certificate under the hand of the mayor and town clerk, and under the corporate seal of the town, of a resolution passed under the next preceding section of this Act, shall be conclusive evidence of the adoption of the Act and of the passing of the resolution provided for in said section. Adoption of Act, how evidenced.

19. The provisions of the Municipal Debentures Act, 1902, shall apply to this Act in so far as the same are not inconsistent herewith. Debentures Act to apply.

CHAPTER 68.

An Act to amend Chapter 92, Acts of 1903, entitled "An Act relating to partial System of Sewerage in the Town of Glace Bay."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 11 amended.

SECTION.

2. Amendment, how construed.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 11
amended.

1. Section 11, of chapter 92, Acts of 1903, is amended by striking out the words "fifty cents" after the word "exceed," in the tenth line thereof, and substituting the words "one dollar."

Amendment,
how construed.

2. Said amendment shall be construed and be as effectual as if the same had been contained in the said section 11, originally.

CHAPTER 69.

An Act to enable the Town of Glace Bay to appoint a Board of Assessors.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Appointment of assessors.

SECTION.

2. Assessors, how paid.

Be it enacted by the Governor, Council, and Assembly, as follows:—

ment
assessors.

1. Notwithstanding the provisions of the Towns' Incorporation Act, the town council of the town of Glace Bay shall appoint four suitable persons, who shall be town assessors, one of whom shall be appointed as chief assessor. They shall continue in office from year to year until removed by a vote of council. The said assessors shall have the powers, authority, perform all the duties and be subject to all the penalties conferred or imposed upon assessors or chief town assessor respectively, under the provisions of "The Towns' Incorporation Act."

2. The assessors appointed under the authority of this Act, shall be paid such remuneration as the town council of said town determines. <sup>Assessors,
how paid.</sup>

CHAPTER 70.

An Act to legalize and confirm the Revised List of Voters and Assessment Roll of the Town of Glace Bay, for 1905.

(Passed the 7th day of April, A. D., 1905.)

SECTION.
Preamble.
1. Voters' list and assessment.

SECTION.
2. Roll legalized.

Whereas, the electoral revisors in and for the town of Glace Bay, failed to post the preliminary list of voters or electors for said town, as required by "The Nova Scotia Franchise Act;" ^{Preamble.}

And Whereas, the assessment roll, owing to unforeseen circumstances, was not completed in the time required by "The Assessment Act;"

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The list of voters for said town of Glace Bay, as prepared by the revisors for the present year is hereby legalized and confirmed, notwithstanding any irregularities or omissions, or errors in the preparation of said lists or of the preliminary list of electors, or notwithstanding that the revisors were not appointed in accordance with chapter 4 of the Revised Statutes, 1900, or of "The Towns' Incorporation Act," and notwithstanding that such lists both preliminary and final may not have been completed or posted within the time limit therefor, and notwithstanding any errors or omissions or irregularities as to the time of meeting of said revisors or in the preparation or completion of said lists, or in any proceeding in connection therewith or in the certification thereof. <sup>Voters' list
and assessment.</sup>

2. The assessment roll for the town of Glace Bay for 1905, as revised by the assessors for said town and as filed or completed in the town clerk's office of the town of Glace ^{Roll legalized.}

Bay, and certified by the Appeal Court, who have heard and determined the appeals made against the assessment rolls so returned by said assessors, is hereby legalized and confirmed, notwithstanding any irregularity or omission in the appointment of the assessors for said town, or that they were not appointed in accordance with the provisions of "The Assessment Act," or of "The Towns' Incorporation Act," and notwithstanding that said assessment roll was not completed within the time limited therefor; and notwithstanding any errors or irregularities in the preparation of said roll or in the certification thereof; and notwithstanding any irregularities or omission in the holding of the Appeal Court for the hearing of the appeals from said roll, or any omissions or irregularities in their proceedings or decisions.

3. Nothing in this Act contained shall be construed so as to affect any pending litigation.

CHAPTER 71.

An Act relating to employers of labor in the Town of Glace Bay, to assist the said Town in obtaining names of persons liable for Poll Tax.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Employers to furnish names.

SECTION.

2. Penalty for refusal.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Employers to
furnish names.

1. Every person, firm or corporation, who within the town of Glace Bay, employs in his trade, manufacture, enterprise, business or calling, one or more persons between the ages of eighteen and sixty years, shall, within ten days after demand therefor, furnish to the assessors or to the town clerk in writing, the name and address of each employee.

Penalty
for refusal.

2. Every person, firm or corporation, who fails to furnish the names and addresses of the employees employed, as required by section 1 of this Act, shall be liable to a penalty not exceeding twenty dollars for each such offence.

CHAPTER 72

An Act to enable the Municipality of Cape Breton County
to borrow money to pay small-pox accounts.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

- Preamble.
1. Power to borrow.
2. Money, how paid.

SECTION

3. Resolution confirmed.
4. Previous loan legalized.

Whereas, the municipality of the county of Cape Breton Preamble.
was on the first day of January, 1905, primarily liable for
a balance of twenty-seven thousand two hundred and forty-
six dollars and eighty-two cents, incurred in the suppres-
sion of an outbreak of small-pox in the said municipality
and in the city of Sydney and the incorporated towns with-
in the municipality ;

And whereas, it was deemed expedient by the municipal
council to pay the said balance at once ;

And whereas, the said municipal council, by resolution at
its regular January session in 1905, authorized the warden
and treasurer of the municipality to borrow from the Royal
Bank of Canada, the said sum of twenty-seven thousand
two hundred and forty-six dollars and eighty-two cents by
way of an over-draft or overdrafts, to be repaid in three
equal annual instalments with interest at the rate of five
per cent. per annum, or at the option of the municipality
in two equal annual instalments at the rate of five per cent.
per annum, the said loans to be a first charge on the taxes
and other resources of the municipality, and also authorized
and empowered the warden and clerk to procure an Act
from the Legislature, authorizing the borrowing of the said
sum, legalizing the said resolution, and confirming the
borrowing of all money advanced or loaned by virtue of
said resolution prior to the time of the passing of this Act ;

Be it therefore enacted by the Governor, Council, and
Assembly, as follows :—

1. The municipality of the county of Cape Breton, Power to borrow.
authorized and empowered to borrow from the Royal Bank
of Canada, upon the credit of the municipality, by way of
overdrafts or an overdraft, the sum of twenty-seven thou-
sand, two hundred and forty-six dollars and eighty-two
cents, for the purpose of defraying the balance of the ex-

penditure incurred by the municipality in the suppression of small-pox within the said municipality and the city of Sydney and the incorporated towns within the said municipality, during the years 1903 and 1904.

Money,
how paid.

2. The said sum shall be repaid to the said Royal Bank of Canada, in three equal annual instalments with interest at the rate of five per cent. per annum, or at the option of the municipality in two equal annual instalments with interest at the rate of five per cent. per annum.

Resolution
co. firmed.

3. The said resolution passed by said municipal council authorizing the borrowing of the said sum of twenty-seven thousand two hundred and forty-six dollars and eighty-two cents is hereby ratified and confirmed and declared to be legal and binding upon the said municipality.

Previous loan
legalized.

4. The advancing or loaning of all money by the Royal Bank of Canada previous to the coming into force of this Act, under the authority of and pursuant to the said resolution is hereby ratified and confirmed, and declared to be legal and binding upon the said municipality.

CHAPTER 73.

An Act to empower the Municipality of Cape Breton to borrow money for the building of an Asylum for its harmless Insane.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to borrow money.
2. Money, when deposited.
3. Debentures.
4. How issued.
5. Money charge on property.
6. Joint liability.
7. Asylum, how managed.

SECTION.

8. Chairman of commission.
9. "Construction commission."
10. Meetings of commission.
11. Vacancy, how filled.
12. Remuneration.
13. Sinking fund.
14. When Act shall be in force.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Power to
borrow money.

1. The Municipality of the County of Cape Breton is hereby authorized and empowered to borrow on the credit of the said municipality, a sum not exceeding twenty thousand dollars, for the purpose of erecting in the said municipality an asylum for harmless insane, and also for equipping the same.

2. The money so borrowed shall be deposited with the treasurer of the said municipality, and shall be by him paid out for the purpose mentioned in the first section of this Act and for no other purpose, on the written order of the secretary of the construction commission hereinafter designated and countersigned by the chairman. The chairman and secretary shall sign orders only on being authorized by the commission so to do. Money, when deposited.

3. Such money to be borrowed with the interest thereon, shall be secured by debentures of one thousand dollars each, bearing interest at four and one half per centum per annum, the interest to be payable half yearly at the office of the treasurer of said municipality and the debentures to be redeemable in twenty-five years, from June 15th, 1905. Debentures.

4. The said debentures shall be issued and signed by the warden and municipal clerk, and sealed with the seal of the said municipality. How issued.

5. The money borrowed under the authority of this Act shall be a charge on the property, funds and resources of the said municipality. Money charge on property.

6. The cost of erecting said asylum shall be deemed to be an expense incurred by the said municipality for the joint benefit of the said municipality and the several towns and cities in the said county of Cape Breton now incorporated or hereafter to be incorporated, such debentures shall be issued under and be subject to the provisions of the "Municipal Debentures Act, 1902," so far as the same are not inconsistent with this Act. Joint liability.

7. The building and equipment of said asylum shall be managed by and be under the direction, supervision and control of a commission, to be known as the construction commission of the said asylum, and shall be composed of representatives of the said municipality, the city of Sydney and the incorporated towns in said county, namely, two members to be appointed by the municipality, and two each by the city of Sydney, and the several incorporated towns, comprising in all, twelve members. Asylum, how managed.

The warden and any of the councillors of the municipality, and the mayors of the city of Sydney and the several incorporated towns, and any of the aldermen or councillors of said corporations, shall be eligible for appointment on said commission.

Chairman of
commission.

8. The said commission shall at its first meeting, appoint from one of its members a chairman and shall also appoint a secretary, who may be the clerk of any of the corporations herein mentioned.

"Construction
commission."

9. "The construction commission" shall have power to superintend and generally manage the erection and completion of said asylum, and to ask for, receive and accept tenders for the construction of said building, and generally to supervise the erection of the same.

Meetings of
commission.

10. The chairman shall preside at, and the secretary shall record, the minutes of all meetings of the commission. A meeting of the commission may be called at some convenient place in the city of Sydney, by mailing a prepaid notice to the address of each member at least three days before the time named for such meeting. All matters that come before the commission shall be decided by a majority vote, the chairman to have a casting vote in case of a tie. Six members shall form a quorum for the transaction of business.

Vacancy,
how filled.

11. Should any member of the said commission appointed by the municipal council die, or become incapacitated or resign, then such vacancy shall be filled by the municipal council, and in case a member appointed by any of the incorporated towns, or said city dies, or becomes incapacitated or resigns, then the vacancy shall be filled by the incorporated town or city making such appointment.

Remuneration.

12. Each member of said commission shall be paid a sum to be fixed at the first meeting of the commission for all services rendered under this Act, but the total amount paid the whole commission shall not in any case exceed six hundred dollars.

Sinking fund.

13. In order to provide a sinking fund for the payment of the debentures authorized to be issued under this Act, the municipal council shall annually include in the estimates of the sums required for the purposes of said municipality a sum equal to two and one-half per cent. of the amount borrowed under the provisions of this Act, and such sum shall be rated and collected in the same manner and with the same remedies as other rates and taxes in said municipality are rated and collected.

When Act shall
be in force.

14. This Act shall not come into force until the same

shall have been approved by a resolution of the municipal council of said municipality at a regular or special meeting of the said council.

CHAPTER 74.

An Act to amend an Act of the present session, entitled,
"An Act to enable the Municipality of the County
of Cape Breton to borrow money to pay
Small-pox Accounts."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Money borrowed, how chargeable.

Be it enacted by the Governor, Council, and Assembly,
as follows:—

The Act of the present session entitled, "An Act to enable the Municipality of the county of Cape Breton to borrow money to pay Small-pox Accounts," is hereby amended by adding thereto the following clause:

1. "The money borrowed under the said resolution, Or Money borrowed,
how chargeable. this Act, and the interest accruing due thereon, shall be a charge on the taxes and all other resources of the said municipality."

CHAPTER 75.

An Act to enable the Municipality of Cape Breton County
to borrow money by resolution of Council.

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Power to borrow.

Be it enacted by the Governor, Council, and Assembly,
as follows:—

1. The municipality of the county of Cape Breton is Power to borrow hereby empowered to borrow by resolution, from time to time, from any chartered bank or other monetary institu-

tions, either by promissory notes or overdrafts, such amount of money as may be requisite to meet the current legal expenditure and liabilities of the corporation which become payable before the revenue for the year is collected or paid. Such sum shall never at any one time exceed an amount equal to one half of one per centum of the total assessed valuation of such municipality, and when the amount is borrowed as provided for in this section, the power to borrow shall cease until the said promissory notes or overdrafts have been paid or reduced, when the power may again be exercised to the limit mentioned. Such resolution shall provide

(a) That the money so borrowed shall be repaid on or before the 15th day of January in the following year.

(b) That it shall be a liability payable out of the revenue of said municipality for the year.

(c) That the promissory notes given shall be signed or the overdraft be authorized by the warden and the treasurer of said municipality.

(d) The maximum amount to be borrowed at any one time, the rate of interest to be paid, and the date on or before which the principal and interest shall be payable.

CHAPTER 76.

An Act to legalize and confirm the findings of the commission appointed under Chapter 74, Acts of 1903-4.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Preamble.
2. Report legal and binding.

SECTION.

2. Statement transmitted declared binding.
3. Amended report.

Preamble.

Whereas, by chapter 74 of the Acts of the Legislature of Nova Scotia, 1903-4, the Governor-in-Council was authorized to appoint and did appoint, a commission to make a valuation upon a uniform standard of the property liable to be rated in the municipality of the county of Cape Breton, the city of Sydney, and the towns of North Sydney, Sydney Mines, Glace Bay, and Louisburg, respectively, and report

the said valuation when made to the warden of the said municipality and the mayors of the said city and towns ;

And whereas, the said commission did make a valuation and did report the same as required :

And whereas, it has been agreed by and between the said municipality and the said town of Glace Bay that the said report be amended by deducting the sum of seven hundred thousand dollars from the amount apportioned to the town of Glace Bay, and by adding the sum of seven hundred thousand dollars to the amount apportioned to the municipality of Cape Breton ;

Be it therefore enacted by the Governor, Council, and Assembly, as follows :—

1. The report of the commission appointed under said chapter 74 of the Acts of 1903-4 as amended, is ratified, confirmed and declared to be legal and binding upon said municipality, the city of Sydney and the several incorporated towns in the county of Cape Breton. Report legal and binding.

2. The statement in writing transmitted to the city of Sydney and the several incorporated towns by the municipal clerk, as required by section 66, sub-section two of chapter seventy-three, R. S. N. S., 1900, upon the basis of the amounts apportioned to the municipality, the city of Sydney and the several incorporated towns, respectively, for the year 1904, is declared to be legal and binding upon the several corporations mentioned. Statement transmitted declared binding.

3. The said amended report shall be the basis upon which the municipal clerk shall prepare the statement in writing required by said sub-section two of section sixty-six of chapter seventy-three, R. S. N. S., 1900, while the said report continues in force under and by virtue of said chapter seventy-four of the Acts of the Legislature of Nova Scotia, 1903-4. Amended report.

CHAPTER 77.

An Act to change the name of a Settlement in the County of Cape Breton.

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Name changed.

Be it enacted by the Governor, Council, and Assembly, as follows :

Name changed.

1. The district or settlement heretofore known as "Polling district number twenty-one, Loch Lomond," in the county of Cape Breton, shall on and after the passing of this Act be known as "Enon."

CHAPTER 78.

An Act to enable the Municipality of the County of Antigonish to borrow money.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to borrow.
2. Money, when deposited.
3. Money, how secured.
4. Debentures.

SECTION.

5. Money, how chargeable.
6. Sinking fund.
7. Debentures Act to apply.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Power to borrow.

1. The municipality of the county of Antigonish is authorized to borrow on the credit of said municipality, a sum not exceeding twenty-two thousand dollars, for the purpose of paying off existing liabilities of said municipality.

Money, when deposited.

2. The money so borrowed shall be deposited with the treasurer of the municipality, and shall be paid out by him on the written order of the warden and municipal clerk.

Money, how secured.

3. The money so borrowed and the interest thereon, shall be secured by debentures redeemable at a period not exceeding thirty years, bearing interest at a rate not exceeding

five per centum per annum, such interest to be payable half yearly at the office of the treasurer of the municipality.

4. The debentures shall be for the sum of one hundred ^{Debentures} dollars or some multiple thereof, and payable at such times as the finance committee of the municipal council and the municipal clerk shall determine. In other respects the debentures and interest coupons shall conform to the requirements of "The Municipal Debentures Act."

5. The money so borrowed and the interest shall be a ^{Money, how chargeable.} charge upon the property, funds and resources of the said municipality, and the council of said municipality shall annually add to the amount to be rated and levied upon the real and personal property and income of the municipality for general purposes, a sum sufficient to pay said interest and the expenses of collecting and disbursing the same, and shall in like manner provide for the payment of the principal of said debentures as they mature.

6. In order to provide a sinking fund for payment of ^{Sinking fund.} the debentures authorized to be issued under this Act, the municipal council shall annually, while such debentures are unpaid, add to the amount to be rated upon the municipality for general purposes such sum as may by resolution be determined by the said council, not, however, to be less than two per cent. of the amount borrowed under the provisions of this Act, and such sum shall be rated and collected in the same manner and with the same remedies as other rates and taxes in said municipality are rated and collected.

7. The provisions of "The Municipal Debentures Act" ^{Debentures Act to apply.} shall apply to the loan authorized by this Act in so far as the same are not inconsistent herewith.

CHAPTER 79.

An Act to permit the overflowing of Hamilton Marsh in the County of Colchester.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Authority to cut dyke.

SECTION.

2. Cost, how provided.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Authority to
cut dyke.

1. The commissioner in charge of Hamilton Marsh, in the county of Colchester is authorized and empowered to flow the said marsh and the public highway passing through the same, with water, by cutting the dyke, for such time and upon such conditions for securing the safety of the public, and the placing of such highway in as good state of repair as it was before such flow, as the municipal council determines.

Cost, how
provided.

2. Any additional expense incurred in consequence of the flowing of said public highway, shall be included in the amount to be rated upon the proprietors of said marsh under the provisions of the Marsh Act, and shall be collected as part of the rate.

CHAPTER 80.

An Act to enable the Town of Truro to borrow money.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to borrow.
2. Debentures.
3. Money, to whom paid.

SECTION.

4. Sinking fund.
5. Town meeting dispensed with.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Power to borrow.

1. The town of Truro is authorized to borrow on the credit of the town, the sum of seven thousand dollars, for the following purposes, that is to say:

(a) For sewerage on Walker Street from McMullen to

Queen Street and West to Church Street and sewerage of West Prince Street, two thousand and fifty dollars.

(b) For sewerage on Prince Street from Lepper Brook to Wood Street, two thousand two hundred and fifty dollars.

(c) For sewerage on Lyman Street from Prince street to south end of water pipe line on Lyman Street, one thousand five hundred dollars.

(d) For sewerage Forrester Street, eight hundred dollars.

(e) For water extension on McMullen Street, four hundred dollars.

2. The said town shall issue debentures for said sum redeemable in thirty years, which debentures shall be for such amounts as the mayor and town council may determine, and which shall bear interest at a rate not exceeding four per cent. per annum. The money borrowed under this Act and the interest thereon, shall be a charge upon the property and funds of and shall be paid by the town, and the council thereof shall annually make provision by rate and levy for paying the interest on such debentures and providing a sinking fund to pay such debentures at maturity. Such debentures shall be subject to the provisions of the Municipal Debentures Act, 1902, and amendments thereof, in so far as the same are consistent with this Act. Debentures.

3. The money borrowed by virtue of this Act shall be paid into the hands of the treasurer of the town of Truro and shall be by him paid out as the town council of said town determine for the purpose mentioned in the first section of this Act and for no other purpose. Money, to whom paid.

4. The sinking fund for the payment of such debentures required by the second section of this Act, shall be provided for and applied in accordance with and in the manner provided for by chapter 125 of the Acts of Nova Scotia, 1903, entitled, "An Act relating to the Debenture Debt of the Town of Truro." Sinking fund.

5. Inasmuch as the ratepayers of the said town have in the manner by law provided, already authorized the town council to apply to the legislature for authority to borrow said moneys and to make said expenditures, it shall not be Town meeting dispensed with.

necessary to convene any additional meeting of the said ratepayers, either under the provisions of the "Towns' Incorporation Act," or under this Act, as a condition precedent to the borrowing of the moneys, the issuing of the towns' debentures therefor, or the doing of any matter or thing by this Act authorized.

CHAPTER 81.

An Act to enable the Town of Truro to borrow money.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to borrow.
2. Debentures.
3. Money, how paid out.

SECTION.

4. Sinking fund.
5. Vote of ratepayers dispensed with.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Power to borrow.

1. The town of Truro is authorized to borrow on the credit of the town the sum of three thousand dollars, for the following purposes, that is to say:—

- (a) For putting down permanent sidewalks...\$1000
- (b) For water works extensions on Alice Street,
and the putting down of a larger pipe on
Arlington Place..... 2000

Debentures.

2. The said town shall issue debentures for said sum, redeemable in thirty years, which debentures shall be for such amounts as the mayor and town council determine, and which shall bear interest at a rate not exceeding four per cent. per annum. The money borrowed under this Act and the interest thereon, shall be a charge upon the property and funds of and shall be paid by the town, and the council thereof shall annually make provision by rate and levy for paying the interest on such debentures, and providing a sinking fund to pay such debentures at maturity. Such debentures shall be subject to the provisions of the municipal debentures Act, 1902, and amendments thereof, in so far as the same are consistent with this Act.

Money, how paid out.

3. The money borrowed by virtue of this Act shall be paid into the hands of the treasurer of the town of Truro, and shall be by him paid out as the town council of said

town shall determine for the purpose mentioned in the first section of this Act, and for no other purpose.

4. The sinking fund for the payment of such debentures ^{Sinking fund.} required by the second section of this Act, shall be provided for and applied in accordance with and in the manner provided for by chapter 125, of the Acts of Nova Scotia, 1903, entitled, "An Act relating to the Debenture Debt of the Town of Truro."

5. Inasmuch as the ratepayers of the said town have in the manner by law provided, already authorized the town council to apply to the Legislature for authority to borrow said moneys and to make said expenditures it shall not be necessary to convene any additional meeting of the said ratepayers, either under the provisions of the "Towns' Incorporation Act," or under this Act, as a condition precedent to the borrowing of the moneys, the issuing of the town's debentures therefor, or the doing of any matter or thing by this Act authorized. ^{Vote of rate-payers dispensed with.}

CHAPTER 82.

An Act to enable the Town of Amherst to borrow money for School Purposes.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Authority.
2. Debentures Act to apply.
3. Loan, how repaid.

SECTION.

4. Sinking fund.
5. Vote of ratepayers dispensed with.

Be it enacted by the Governor, Council, and Assembly, as follows :—

1. The town of Amherst is hereby authorized to borrow ^{Authority.} upon the credit of the town, a sum of money not exceeding thirteen thousand five hundred dollars (\$13,500), for the purpose of building and equipping a new school house on the old academy grounds on Acadia Street in the said town of Amherst, for finishing and equipping the Duke Street school in said town, for heating, lighting and plumbing the said school buildings, and also for the purpose of acquiring additional lands adjoining the new academy grounds in

said town of Amherst, and for fencing, grading and otherwise improving the school properties of the town.

Debentures Act
to apply.

2. For the purpose of effecting the said loan the council of the town is empowered to make and issue, subject to the provisions of the "Municipal Debentures Act," from time to time as the council may deem expedient, the town's debentures, each in the sum of one hundred dollars or multiples thereof, bearing interest at such rate as the council shall determine, not exceeding however five per centum per annum and redeemable at periods not exceeding thirty years from the issue thereof.

Loan,
how repaid.

3. The council of the town shall annually add to the estimates to be rated each year upon the town for general purposes, a sum sufficient to pay the annual interest accruing upon the moneys borrowed on the authority of this Act, and such sum shall be rated and collected in the same manner and with the same remedies as the other rates and taxes in said town.

Sinking fund.

4. The council of the town shall also add to the estimates to be levied upon the town for general purposes, such sum as the council may by resolution determine, not however in any case to be less than two per cent. of the amount borrowed under this Act, as a sinking fund, subject to the provisions of the said Debentures Act, and such sum shall be rated and collected in the same manner and with the same remedies as other rates and taxes in said town.

Vote of rate-
payers dispensed
with.

5. Inasmuch as the ratepayers of the town have in the manner by law provided, already authorized the town to apply to the Legislature for leave to borrow said moneys, it shall not be necessary to convene any additional meeting of the said ratepayers under the Towns' Incorporation Act or otherwise as a condition precedent to the issuing of debentures or the doing of any other matter by this Act authorized.

CHAPTER 83.

**An Act to enable the Town of Amherst to borrow money
for the Extension and Improvement of the Water
Works System of the Town.**

(Passed the 7th day of April, A. D. 1905.)

SECTION.

- Preamble.
1. Sub-section (b), chapter 59, Acts 1903, amended.
2. Power to borrow money.
3. Power of town council.
4. Debentures.

SECTION.

5. Interest, how rated.
6. Sinking fund.
7. Act to be adopted.
8. Certificate of adoption.
9. When money may be borrowed.

Whereas, by chapter 159 of the Acts of 1903, the town of ^{Preamble.} Amherst was authorized to borrow a sum of money, not exceeding forty thousand dollars, for the purposes set forth in sub-sections (a) and (b) of section 1 of the said Act, and of said sum, ten thousand dollars have been borrowed and debentures issued therefor for the purposes set forth in said sub-section (a), and no moneys have been borrowed for the purposes set forth in said sub-section (b), it having been found impracticable to augment the water supply of the said town as proposed under said sub-section ;

And whereas, it is expedient that the said sum of thirty thousand dollars so authorized to be borrowed under said Act, or so much thereof as may be required, be expended for the purpose of otherwise improving and augmenting and extending the said water supply system under the provisions of this Act,

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Sub-section (b) of section 1 of chapter 159 of the Acts of 1903, is hereby repealed, and the said town of Amherst <sup>Sub-section (b),
chapter 159,
Acts of 1903,
amended.</sup> is hereby declared to have had authority under the said Act to borrow the said sum of ten thousand dollars only, for the purpose set forth in sub-section (a) of section 1 of said chapter.

2. The said town is hereby authorized to borrow from <sup>Power to
borrow money.</sup> time to time upon the credit of the town, such sums of money not exceeding thirty thousand dollars as may be required to defray the expenditures of the town incurred and to be incurred for the purpose of increasing and endeavoring to increase the present water supply of the town, for

the erection of a retaining dam or retaining dams across the Nappan river and works incidental thereto for the purpose of storing water for the use of the said town, for the purpose of obtaining an additional supply by gravitation or otherwise, for the purpose of repairing, improving or otherwise increasing the efficiency of the present reservoir, pumping station, dams and other portions of the said system, for the purpose of paying any land damages or for rights which it may be expedient to acquire in connection with any improvements or enlargements of the said system, for the purpose of defraying any expenditures heretofore incurred or which may be incurred for additional pipe extensions and enlargements of the present system including additional or extended or enlarged mains, together with additional hydrants, service connections and improvements, repairs and additions generally to the present water works system of the town, both in those portions of the town where the system was originally constructed and in other portions thereof to which said system has been or may be extended.

Power of
town council.

3. The town council in making any extensions of or improvements to the said water system under this Act, shall have all the powers given to the town, to the council and to the water commissioners of the town by chapter 81 of the Acts of 1891 and Acts in amendment thereof.

Debentures.

4. For the purpose of effecting any loans under the authority of this Act the council is empowered to make and issue, subject to the provisions of the Municipal Debentures Act, from time to time as the council may deem expedient the town's debentures each in the sum of one hundred dollars or multiples thereof, bearing interest at such rate as the council shall determine, not exceeding, however, five per centum per annum, said debentures to be redeemable within such periods, not exceeding thirty years from the date thereof, as the council may determine.

Interest,
how rated.

5. The annual interest payable by the town on any moneys that may be borrowed under this Act, shall be rated upon the property situate within the water district of the town, as already defined by the town council under section 11 of said chapter 81 of the Acts of 1891, or upon the property situate within the said district as it may from time to time be enlarged or diminished by the said council under the powers vested in that body by the said Act and the amendments thereto.

6. In order to provide a sinking fund for the payment ^{Sinking fund.} of the debentures authorized to be issued under this Act, the town council shall annually include in the estimates of the sums required for the purposes of the said town such sums as may by resolution be determined by the said council, not however to be less than two per cent. of the amount borrowed under the provisions of this Act, and such sums shall be rated and collected in the same manner and with the same remedies as other rates and taxes.

7. This Act shall not take effect until the same is adopted ^{Act to be adopted.} by a meeting of the ratepayers of the town, duly convened in accordance with the provisions of sections 143 and 144 of the Towns' Incorporation Act. And it shall be lawful for the said meeting to direct the town council to borrow the whole or from time to time any part, of the sums mentioned in this Act.

8. A certificate under the hand of the mayor and town ^{Certificate of adoption.} clerk, and under the corporate seal of the town, of a resolution passed under the next preceding section of this Act, shall be conclusive evidence of the adoption of the Act, and of the passing of the resolution provided for in said section.

9. Upon approval by vote of the ratepayers in accordance with the provisions of sections 143 and 144 of the ^{When money may be borrowed.} Towns' Incorporation Act, the town council of the said town is authorized to borrow the sum of thirty thousand dollars, in whole or in part, or in such amounts from year to year as said council by resolution declares to be necessary and expedient, but so that the amount so borrowed shall not in the aggregate exceed the said sum of thirty thousand dollars.

CHAPTER 84.

An Act to enable the Town of Oxford to take over property vested in the Fire Commissioners of the Town of Oxford and for other purposes.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Boundaries of town.
2. Property of fire commissioners vested in the town.
3. Transfer of property.

SECTION.

4. Sinking fund.
 5. Money how raised.
 6. Debenture holders.
- Schedule.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Boundaries of town.

1. The boundaries of the town of Oxford shall be the boundaries fixed and defined by section 2 of chapter 94 of the Acts of 1902, entitled, "An Act to enable the inhabitants of Oxford to supply themselves with Fire Protection," provided however, that the change hereby made in the boundaries of said town shall not affect the validity of any assessment, rate, or other act or proceeding of the town council or any official of the said town or any vote of the ratepayers thereof.

Property of fire commissioners vested in the town.

2. From and after the passing of this Act all the real and personal property standing in the name of the fire commissioners elected under chapter 94 of the Acts of 1902, and particularly the real and personal property mentioned and described in schedule "A," annexed to this Act, shall become and be vested in the town of Oxford, for the uses and purposes for which the same was held or vested in the commissioners under said Act, and thereafter the town of Oxford shall have and exercise exclusive ownership and control of same, and from and after the passing of this Act, the town council of the town of Oxford shall have, possess and exercise all the rights, powers and duties conferred on the fire commissioners under sections 17, 18, 19 and 20, of said chapter 94, and under the provisions of the "Towns' Incorporation Act," the town of Oxford being hereby required to keep organized and equipped, an efficient fire company for the protection of the town against fire, and are required upon the passing of this Act and thereafter to appoint and maintain a sufficient number of fire wards, fire constables and firemen for the said town.

3. As soon as this Act shall come into force the duties, ^{Transfer of property.} powers and authorities of said fire commissioners shall cease, and the said fire commissioners shall execute and deliver to the town of Oxford any and all transfers of property theretofore vested in them as such commissioners and hereby vested in the town of Oxford which may, in the opinion of the town, be necessary to have executed and delivered for the purpose of perfecting the title of the said town to same on the records of the registrar of deeds for the registration district of the county of Cumberland.

4. From and after the passing of this Act the duty of ^{Sinking fund.} providing and investing annually a sinking fund to retire debentures, as directed by section 23 of said chapter 94, shall devolve on the town of Oxford, and the said town is hereby required to carry out the directions contained in said section with respect to such sinking fund.

5. All moneys required for fire purposes and for the pay- ^{Money, how raised.} ment of the yearly interest on debentures issued under said chapter 94, as well as the amount necessary for the sinking fund shall be raised by the town of Oxford by an annual rate on the property liable to taxation in said town, and said town is hereby authorized to add such sums necessary for the purpose aforesaid to the estimates of the sums required for the lawful purposes of the town, and to raise the sum by taxation in the usual way. The said town of Oxford, in collecting the same, shall have and exercise all the rights conferred on incorporated towns by any general laws in force in the province relating to assessment.

6. Nothing herein contained shall prejudice the rights ^{Debenture holders.} of the holder or holders, or future holders of any debentures issued under the authority of said chapter 94 or the security given for the payment thereof, or the lien created by said Act for the payment thereof. The duty of providing for the payment of the principal sum secured to be paid by said debentures as well as for the payment of the annual interest on the coupons annexed to same shall, upon the passing of this Act, be imposed upon the town of Oxford, and the payment thereof shall be made at the office of the town clerk of Oxford instead of at the office of the said fire commissioners as stated in the said Act.

Schedule.

SCHEDULE "A."

List of property now vested in or standing to the credit of "The fire commissioners of the town of Oxford," and transferred by the foregoing Act to "The town of Oxford."

REAL ESTATE.

The lot of land on the north-east side of Ellis Street, in said town of Oxford, Nova Scotia, and being about 35 feet frontage on said Ellis Street, and running back therefrom for a distance of 60 feet, more or less, and being the same lot of land as conveyed to said fire commissioners by Mrs. Margaret Hannon, on or about August 27th, 1902. Also the fire engine house built thereon.

PERSONAL PROPERTY.

One fire engine, a lot of rubber hose, hose carts, ladders, ladder cart, buckets, and all and singular the fire appliances and apparatus contained in and about said fire engine house.

Deeds, books, papers and documents of all kinds connected with or relating to the business of fire protection as carried on by said fire commissioners.

All cash on hand, deposit receipts, or cash in bank.

CHAPTER 85.

An Act to define the boundaries of the Pugwash Fire District and to amend Chapter 85, Acts of 1902, entitled,
 "An Act to enable the Municipality of Cumberland to assess the Pugwash Fire District for certain purposes."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Area of fire district defined.
2. Boundaries and area may be changed.

SECTION.

3. Report to be filed with Provincial Secretary.
4. Effect of filing.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The Governor-in-Council is authorized to appoint a commission, consisting of three ratepayers of the county of Cumberland, for the purpose of determining the area to be included within the Pugwash fire district, and of defining the boundaries thereof. The commissioners shall be sworn to the due and faithful performance of their duties before a justice of the peace.

2. The commissioners may alter the area and boundaries of the said Pugwash fire district, and shall have all the powers of a commissioner appointed under chapter 12 of the Revised Statutes, 1900, "Of Inquiries concerning Public Matters."

3. The commission shall, on or before the first day of December, A. D., 1905, file in the office of the Provincial Secretary, a report signed by them or any two of them, containing a description of the area and boundaries of the Pugwash fire district as determined and defined by them, and shall file a duplicate thereof in the office of the clerk of the municipality of the county of Cumberland.

4. From the filing of such report and duplicate, the boundaries as fixed by said commissioners shall be the boundaries of the Pugwash fire district, and section 3 of chapter 85 of the Acts of 1902, shall thereupon be deemed to be repealed.

CHAPTER 86.

An Act to authorize the Town of Springhill to borrow money to pay Maturing Debentures.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to borrow.
2. Debentures.
3. Interest, how rated.

SECTION.

4. Sinking fund.
5. Money, how chargeable.
6. Money, when deposited.

Be it enacted by the Governor, Council, and Assembly as follows:—

Power to borrow.

1. The town of Springhill is authorized to borrow, on debentures, the sum of twelve thousand dollars, to be used in the payment at maturity of debentures of the said town, issued under the provisions of chapter 68 of the Acts of 1895, and for no other purpose.

Debentures.

2. Such debentures shall be for one hundred dollars, or some multiple thereof, shall be redeemable in twenty years and shall bear interest at a rate not exceeding four and one half per cent. payable half-yearly, and shall be subject to the provisions of the "Municipal Debentures Act, 1902."

Interest,
how rated.

3. The interest on said debentures shall form part of the sum to be annually rated and collected in the town of Springhill.

Sinking fund.

4. In order to provide a sinking fund for the payment and redemption of said debentures, at maturity, the town council shall annually include in the estimate of the sums required for the purposes of the said town, such sum not to be less than two per cent. of the amount to be borrowed under this Act as the council determines, and in respect to such sinking fund the provisions of the Municipal Debentures Act, 1902, shall apply.

Money, how
chargeable.

5. The money required for the purpose of this Act shall be borrowed on the credit of the town, and the principal sums and interest thereon shall be a charge upon the property, funds and revenue of the town.

Money,
when deposited.

6. The money borrowed under the provisions of this Act shall be paid into the hands of the town clerk and treasurer of the town of Springhill, and shall by him be

paid out as the town council of said town may determine, for the purposes mentioned in section one of this Act, and for no other purpose.

CHAPTER 87.

An Act to provide for the payment by the Town of Digby of certain money borrowed for School Purposes.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

- Preamble.
1. Power to assess.
2. Debentures Act to apply.
3. Power to borrow in certain event.

SECTION.

4. Sinking fund.
5. Debentures Act to apply.
6. Section 2, chapter 101, amended.

Whereas, under the authority of chapter 95 of the Acts of the Legislature of Nova Scotia, passed in the year 1892, the town council of the town of Digby borrowed, for school purposes, upon debentures bearing date the first day of May, 1892, seven thousand dollars, payable in twenty years from such date, and it is desirable to make provision for the payment of such sum by means of a sinking fund and otherwise;

Therefore, be it enacted by the Governor, Council, and Assembly, as follows:—

1. The town council of the town of Digby, is authorized to annually add to the amount to be rated and assessed for school purposes upon the property liable to taxation within said town, and within that part of the school section of the town of Digby (as extended by chapter 53 of the Acts of 1894) lying outside the town of Digby, such sum, not less than three per cent. of the amount so borrowed on such debentures authorized by said chapter 53 as they shall from year to year determine, to provide a sinking fund for the payment of the said seven thousand dollars, and to collect the same in the same manner and with the same remedies as ordinary rates and taxes.

2. The provisions of the Municipal Debentures Act, 1902, shall apply to the sinking fund authorized by the next preceding section when not inconsistent therewith.

Power to borrow
in certain event.

3. In the event of such sinking fund not being sufficient to pay in full the said sum of seven thousand dollars, when the same matures (on the first day of May, 1912), the council of the said town is hereby authorized to borrow on the credit of the said town of Digby the residue of the said sum of seven thousand dollars, to be repaid in a term not exceeding fifteen years, with interest at a rate not exceeding four and one half per centum per annum, and to provide for the payment of such sum as in sections 1 and 2 of this Act authorized and directed. The interest yearly payable in respect of such loan, shall be provided in the same manner as the sinking fund authorized by section 1 of this Act.

Sinking fund.

4. In order to provide a sinking fund for the payment of the debentures authorized to be issued under the next preceding section, the town council shall annually, after said sums are borrowed, include in the estimates of the sums required for the purposes of the said town such sum as may by resolution be determined by the town council, not however to be less than three per cent of the amount borrowed under the provisions of the said section, and such sums shall be rated and collected in the same manner and with the same remedies as other rates and taxes in said town are rated and collected.

Debentures Act
to apply.

5. The provisions of the Municipal Debentures Act, 1902, shall apply to the loan authorized by section three of this Act, in so far as the same are not inconsistent with the provisions of this Act.

Section 2, chapter 101,
amended.

6. Section 2 of chapter 101 of the Acts of the Legislature of Nova Scotia, passed in the year 1901, is hereby amended by striking out the word "directed" in the fifth line thereof, and substituting the word "declared," therefor.

CHAPTER 88.

An Act to confirm the sale of the Freeport Common.

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Sale confirmed.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The sale of the Freeport Common and the conveyances thereof, made by the Trustees of Freeport Common, are hereby confirmed, and the said conveyances are declared to be valid and effective for the purposes therein expressed, notwithstanding any irregularity in or prior to said sale or any failure to comply with any of the provisions of chapter 93 of the Acts of 1903-4.

CHAPTER 89.

An Act to provide for the Supplying of the Town of Hantsport with Water.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Preamble.
2. Power to provide water.
3. Power to enter upon lands.
4. Who may take lands.
5. May open streets.
6. Expropriation.
7. Compensation for damage.
8. Council to maintain works.
9. Surveys to be made.

SECTION.

9. Service pipes.
10. Power to borrow money.
11. When deposited.
12. First year's interest.
13. Charge against the town.
14. Sinking fund.
15. By-laws.
16. Approval of Governor-in-Council.
- Schedule.

Whereas, a public meeting of the ratepayers of the town of Hantsport, duly convened and held in the said town on the 18th day of April, 1904, pursuant to public notice duly given in accordance with a resolution passed by the town council of the said town, the following proposition or resolution was submitted and approved of by a majority of the ratepayers assessed in the said town upon real and personal property and income, present at said meeting;

Resolved, that the town council of the town of Hantsport be, and the said Council is hereby authorized to apply to the legislature of Nova Scotia for power to borrow a sum of money not to exceed forty-two thousand dollars (\$42,000),

for the purpose of providing a water supply for the said town, and for all necessary legislation for that purpose.

Be it therefore enacted by the Governor, Council, and Assembly, as follows:—

Power to
provide water.

1. The town council of the town of Hantsport is hereby authorized and empowered to provide for the town of Hantsport a good and sufficient supply of water for domestic, fire, and other purposes, and in order to obtain such supply, to enter into a contract or contracts with any person or persons, by tender or otherwise, for the construction of waterworks, or in the discretion of the council in any way or manner by the council deemed expedient, to construct works, lay pipes, build dams and reservoirs, acquire lands, and do all things necessary to be done.

Power to enter
upon lands.

2. For the purpose of obtaining the said supply of water, the said town council is hereby authorized and empowered to enter upon the waters and bed of the Davison Lake, in the county of Hants, and the brooks and streams leading into or out of the said lake, and the lands adjoining the said lake, brooks and streams, and upon the lands lying between the said lake and the town of Hantsport, and the lands within the limits of the town of Hantsport lying along or near the line which may be proposed as a pipe line, or whereon it may be deemed necessary or expedient to erect reservoirs or other works, and to make surveys, locate pipe lines, build dams, reservoirs, and all other works, dig trenches, lay pipes, and do all other things whatsoever and wheresoever necessary or expedient to be done, and to dam and back up the water in the said lake and brooks, and to cause the same to overflow the lands bordering thereon, and to take from such lake, brooks and streams such quantity and quantities of water as may be required or deemed by the said council necessary for the purpose aforesaid.

Who may
take lands.

3. In the construction, building or repair of any dams, reservoirs, or other works, and in the laying down, constructing, repairing, or alteration of any main or service pipe, or other structure, or the doing of any other thing, under the provisions of this Act, the mayor and councillors, or any or either of them, and their engineer, superintendent, servants, agents and workmen, shall have full power, and they are hereby authorized from time to time, as occasion may require, to enter upon any lands or tenements, inhabited or uninhabited, both within the limits of the said town of Hantsport, and outside of the same, anywhere in

the vicinity of the said lake and between the said lake and the said town, and remain thereon as long as he or they may deem requisite for the proper execution of the work, and to make all such excavations in the said land as may be expedient, and to take up and remove any floors, timbers, planks, walls, fences or erections whatsoever, doing no unnecessary damage to the same, and carefully replacing the same as far as can reasonably be done upon the requisite work being performed.

4. It shall be lawful for the said town council, from time to time for any purpose under this Act, or for the purpose of repairing any works constructed hereunder, to open all or any of the roads, streets, highways or lanes within the said town, and those outside the said town where necessary, along or near the pipe line and water works, and to keep the same or any part thereof open for such reasonable time or times as may be necessary, and to cause all such reservoirs, tanks, fountains, hydrants, leaders, pipes, tubes and such other works to be built, placed and laid, on, over or under such roads, streets, highways and lanes, as may be necessary and expedient for the purpose aforesaid. May open streets. Provided, however, that the said town council shall close up, repair and make good such roads, streets, highways and lanes, after completion of the said work, and the said town shall be and continue to be the owner of all such reservoirs, tanks, fountains, hydrants, pipes, leaders and tubes, and other work or works which may from time to time be constructed under the authority of this Act, notwithstanding that the same may be laid, on, over or under any highway or other property not belonging to the town.

5. Whenever it shall be necessary, for securing the necessary supply of water for the purposes of the said town, or the laying down or placing of any reservoir, tank, fountain, pipe, leader or tube, or for any purpose whatsoever under this Act, that the town be vested with the title or possession of any lot or parcel of land and premises situate either in the said town or outside the limits thereof, or any interest, right or easement therein, it shall and may be lawful for the said council to acquire the same by agreement with the proprietor of the said land, or the person holding or claiming any interest therein, for the purchase or lease thereof, to give notice in writing to the proprietor of or party interested in the lands intended to be taken, or to his agent, that the said land or interest therein is required for the purposes of the town under this Act, and request the proprietor or party interested in the said land or his agent, to appoint one arbitrator, and the said council shall appoint Expropriation.

one arbitrator, and the two so chosen shall appoint a third arbitrator, or in case they cannot agree upon a third arbitrator after twenty days, a judge of the Supreme Court, or the judge of the county court for district No. 4, shall appoint a third arbitrator, on the application of the said council, or of the party whose land is taken or acquired all of which arbitrators shall be disinterested and non-residents of the said town, and the three arbitrators so appointed shall proceed to determine the damages, if any, and to award the same, to be paid to the proprietor or person interested in the said land as the case may be, whose award or the award of any two of whom shall be final and conclusive; provided the town council decides to acquire such lands or the said interest, right or easement therein. In case the town council decides to take such land, interest, right or easement and notifies the proprietor thereof, or person interested therein, of the said intention then the town shall, within six months after the delivery of the said award, pay and satisfy to the party entitled to receive the same, the full amount of such award or valuation, and immediately upon the payment or tender of the sum awarded as aforesaid, to the person entitled thereto, or payment thereof into the office of the prothonotary, as hereinafter provided, the town shall be, and be deemed to be the rightful purchaser and owner in fee simple of such land, rights or easement, as the case may be, with the appurtenances, if the said award be for the purchase thereof, or the tenant thereof for such time as is in such award set forth, if the award be for a term of years. In case the proprietor of, or person interested in such land, refuses or neglects to appoint an arbitrator within twenty days after notice as aforesaid, or cannot be found, or is absent from the Province of Nova Scotia, and has no known agent residing within the province, a judge of the Supreme Court, or the judge of the county court for district No. 4, may on the application of the said council, appoint such arbitrator. If there be any claims or encumbrances against such land, or if the party to whom compensation is payable cannot be found, or is unknown, or in case of dispute as to who is entitled thereto, or if, for any other reason the council deems it advisable so to do, the council may pay such compensation into the office of the prothonotary of the Supreme Court of the county of Hants there to remain until the party entitled thereto procures an order from a judge of the Supreme Court, or the judge of the county court for district No. 4, for the payment thereof to him, and on payment into the office of the prothonotary of the said money, the council shall deliver to the prothonotary a copy of the award, and such award, or

a certified copy thereof under the hand and seal of the prothonotary as aforesaid, together with the prothonotary's receipt for the amount awarded, shall be recorded in the office for the registry of deeds for the county wherein the said lands lie, and shall thereafter be and be deemed to be the title of the town to the property, or interest, right or easement therein mentioned, and the title thereof shall thereupon vest absolutely in the town. In case the proprietor of, or person interested in the said land, is not known to the council, or does not reside in Nova Scotia, or cannot be found on reasonable enquiry, the notice required by this section to be given to him may be given by publication thereof in a newspaper published in the county of Hants, for two weeks, and the publication thereof in that way for that time shall be deemed good and sufficient service thereof on the proprietor or person interested in the lands.

6. In the event of any damage being done in the execution of the work, the party sustaining such damage shall be entitled to receive such compensation as shall be mutually agreed upon between the council and himself, and in case no such agreement can be made, at the request in writing of such party, arbitrators shall be appointed, as provided for in the fifth section of this Act, to assess the damages to be paid to such party entitled thereto, and their award, or the award of any two of the said arbitrators, shall be final and binding upon the parties, and the amount so assessed shall be paid by the town to the person entitled thereto, within six months thereafter. Compensation for damages.

7. The council shall maintain and operate the said waterworks, when built, and may, from time to time, and at such time and times as they may deem expedient so to do, improve, extend, and enlarge the same and make such repairs and lay such pipes, and do all such things as the council may deem necessary to afford a good, sufficient and continuous supply of pure water to the town. Council to maintain works.

8 The council may employ an engineer, and such assistants as may be necessary, to make surveys for the said waterworks, and plans thereof, and also surveys and plans of the streets within the town of Hantsport, showing the surface of the said streets as existent and permanent levels to be thereafter made which levels when approved of by the town council, shall be and remain the permanent levels of the said streets, until changed by the council. The plans of the said waterworks, and of the said streets and levels so made, shall be filed in the office of the town clerk as public Surveys to be made.

records of the same. The council may acquire and pay for surveys and plans already made or to be made of waterworks for the said town.

Service pipes.

9. The service pipes for water supply to any properties or persons which are to be supplied with water under this Act, shall be carried from the main to the side line of the street at the expense of the town, and all beyond that distance at the expense of the owner or leaseholder for life or term exceeding five years, of the premises supplied, or at the expense of the person applying for the water.

Power to borrow money.

10. For the purpose of raising the necessary funds for providing the said water supply, and to construct the said waterworks, and to acquire lands and easements, and to carry into effect the provisions of this Act, the town council of the said town of Hantsport is hereby authorized and empowered to borrow on the credit of the said town of Hantsport and the property therein, a sum not exceeding forty-two thousand dollars, and from time to time to make and issue debentures for the money so borrowed, in the form given in schedule "A" to this Act, bearing interest at a rate not exceeding five per cent. per annum, payable half-yearly, and redeemable in twenty-five years from the date thereof. Such debentures shall be issued in such sums as the council may determine, but not for a less sum than one hundred dollars each, and shall be signed by the mayor and two councillors of the said town, and countersigned by the town clerk, and sealed with the corporate seal of the said town. Such debentures, when issued and delivered, shall be a charge upon all the real and personal property within the said town of Hantsport. The town council may dispose of the said debentures, at a discount, for such sum as can be obtained therefor. Persons lending money on said debentures, shall not be required to see to the proper application of the money by the officers of the town.

When deposited.

11. The money borrowed by virtue of this Act, shall be paid into a bank to the credit of the town of Hantsport, to a separate account designated "The Waterworks Account," and shall be drawn out on cheques signed by the mayor and town clerk, as the town council shall order, for the purpose of providing the said water supply, and constructing the waterworks under this Act, and expenses incidental thereto, and for no other purpose.

First year's interest.

12. The first year's interest on the moneys borrowed under this Act, shall be deemed as a part of the cost of the

said waterworks, and may be paid out of the moneys borrowed hereunder.

13. The expense of maintaining and operating the said waterworks and system, and for necessary repairs thereto, shall be a charge against the said town, and the moneys accruing from the income of the water supply, from whatever source, shall be appropriated and applied, in the first place, to discharging the said expenses, and in the next place towards the payment of the interest on the debentures issued under the authority of this Act, and then, if any remain, towards a sinking fund for the purpose of paying off the said debentures, and if the income from the said waterworks shall not be sufficient for the purpose of paying the said expenses and interests, the deficiency shall be made good and supplied each year by an annual assessment on the assessable property and income within the said town of Hantsport, and shall be estimated for, and assessed, rated and collected in the in the same way and manner, and at the same time as other town charges are estimated for, assessed, rated and collected.

14. In order to provide a sinking fund for the redemption of the said debentures, the town council shall include each year, in the annual estimate of moneys required for that purpose of the town for that year, a sum equal to not less than one per cent. of the money borrowed hereunder, and shall assess, rate and collect the same in the same manner as and along with the other moneys required for town uses, and at the end of the year in which the same is assessed and rated, the council shall deposit in a bank to the credit of the town on an account to be designated "The Town of Hantsport Waterworks Sinking Fund" at interest, the sum assessed and rated during that year, and the moneys so deposited, together with all moneys which may accrue thereon for interest, and all moneys which may be added to the said sinking fund from the income derived from the water works, after paying expenses and interest, shall be used and applied solely for the redemption of the said debentures issued under this Act. If the town council sees fit to do so, it may at any time or times, use the said money or any part of it, to redeem the said or any part of the said debentures, at or below par, before the same fall due, in case any holder thereof is willing to receive the money therefor before the same falls due.

15. The town council of the said town, in addition to the power to make by-laws under the provisions of the

Towns' Incorporation Act, shall have full power and authority from time to time, to make all such by-laws, ordinances, rules and regulations, as the said council shall deem requisite, necessary or expedient for carrying into effect the provisions of this Act, and the providing of the said water supply, including the expropriation of land, and the appraising the compensation therefor, and the damages done in the construction of the works, the construction, repair, management, superintendence, use, connections, supply and maintenance of the water works, for regulating the supply of water, the price or rates to be paid for the use thereof, and the collecting of the said rates, and the stopping of the supply for non-payment of the rates, or for the improper use of the water, or for breach of the by-laws, and for preventing persons from destroying, injuring, or trespassing on, or interfering with the said waterworks, or wasting, polluting, or improperly disposing of or placing or putting any substance or thing into the water, and also, for laying off and defining by boundaries, or in any other way they may deem meet, any and such portion or portions of the said town lying in the vicinity of the pipe line as they may deem expedient, to be designated the "Water District," and for levying upon the assessable property lying or being respectively within or without such water district, such proportion of the moneys necessary to be raised under this Act for the purpose of paying the expenses connected with the management and repairs of the waterworks, and the interest on the debentures issued hereunder, as the council shall deem expedient or requisite, and for defining and regulating the proportion of such moneys which shall be rated and levied upon the assessable property lying within such district, and the proportion thereof which shall be rated and levied upon the assessable property lying without such district, with power to discriminate, and regulating in the manner of assessing, rating and collecting the same and also regarding every matter or thing in connection therewith, or in order to regulate or direct the carrying out of the purposes of this Act, and in order to secure to the inhabitants of the said town, a continuous and abundant supply of pure water, and may, from time to time, repeal, alter, change and re-enact the same; and may prescribe a penalty not exceeding fifty dollars for the violation of any such by-law, and may provide that in default of payment of such penalty, the offender may be imprisoned with or without hard labor, for a period not exceeding six months.

16. The said by-laws, when passed by the town council, and approved by the Governor-in-Council, shall have the

force of law, and shall be as valid and effectual as if the same were incorporated in and formed a part of this Act. The production of a copy of said by-laws, so approved, or any of them, purporting to be certified under the hand of the town clerk, and the seal of the town of Hantsport, shall be sufficient proof thereof in any court of law, without proof of the signature of the said town clerk, or of the sealing thereof, or of the approval thereof.

17. The provisions of the Municipal Debentures Act, Approval of Governor-in-Council. 1902, shall apply to the loan authorized by this Act, in so far as the same are not inconsistent with this Act.

SCHEDULE "A."

Schedule.

TOWN OF HANTSPORT.

\$.....

No.....

Under the authority of Chapter 89 of the Acts of the Legislature of Nova Scotia, 1905.

The town of Hantsport, in the Province of Nova Scotia, will pay to the bearer hereof, at the office of the town clerk of said town, the sum of hundred dollars, in twenty-five years from the date hereof, and interest for the same at the rate of per centum, per annum, payable half-yearly, on production of the coupon hereto attached.

Dated at the town of Hantsport, this day of 1905.

..... Mayor.

..... Town Clerk.

} Councillors.

CHAPTER 90.

An Act to Legalize the Panel of Grand Jurors for Hants County.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

Preamble.

SECTION.

1. Panel legalized.

Preamble.

Whereas, at the last September sittings of the Supreme Court for Hants county, the prothonotary of the said court drew from the grand jury box the names of six persons to serve as grand jurors, as required by section 34, of chapter 162, of the Revised Statutes, and at the close of such drawing made a list containing the names, residences and occupations or additions of the said persons so drawn, together with the names of the last six grand jurors on the panel of those who served as grand jurors at the said September sittings at Windsor, and such list was signed by the judge presiding at the said drawing, as and to constitute the panel of grand jurors for service at any sitting in the said county at which a grand jury is required before the next drawing for the said county;

And whereas, doubts exist as to the legality of the said drawing, and as to the validity and constitution of the said panel of grand jurors;

Be it therefore enacted by the Governor, Council, and Assembly, as follows:—

Panel legalized.

1. The said list of twelve grand jurors so made as aforesaid, by the prothonotary of the said Supreme Court at the last September sittings of the said court for Hants county, and signed by the said judge, is hereby legalized and confirmed, and declared to be, and is, the panel of grand jurors for service at any sitting in the said county of Hants at which a grand jury is required, before the next drawing of grand jurors for the said county, notwithstanding any defect, error, irregularity or non-compliance with the Statute in the drawing of the said grand jury, making the said list or the constitution of the said panel of grand jurors, or other matter or thing whatsoever.

CHAPTER 91.

An Act to amend Chapter 94, Acts of 1903-4, entitled, "An Act to repeal Chapter 78, Revised Statutes, 1900, 'Of Commissioners of Streets and Surveyors of Highways in so far as it relates to the Municipality of West Hants,' and to substitute therefor Chapter 67, Acts of 1898, with Amendments."

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Section 2 amended.
2. Section 3 amended.
3. Section 5 repealed.

SECTION.

4. Road tax notice, how served.
5. Supervisor may administer oath.
6. Section 22 amended.

Be it enacted by the Governor, Council, and Assembly, as follows :

1. Section 2 of said chapter 67, of the Acts of 1898, is ^{Section 2} amended, in so far as it relates to or affects the said municipality of West Hants, by adding thereto the following words : "The said poll tax shall be paid in the road district in which the said person resides at the time of the issuing of the said tax notice."

2. Section 3 of said chapter 67, is amended, in so far as ^{Section 3} it relates to the municipality of West Hants, by interlining ^{amended.} the words "and the income of the residents thereof" between the word "municipality" and the word "according," in the fifth line of the said section.

3. Section 5 of said chapter 67, is repealed, in so far as ^{Section 5} it relates to or affects the said municipality of West Hants. ^{repealed.}

4. In the said municipality of West Hants, a road tax ^{Road tax notice,} notice may be served personally on the person liable to pay ^{how served.} the tax, or by leaving it at his usual or last place of abode, or, in case of his absence from the road district, by mailing the same in the post office, with the postage prepaid thereon, addressed to him at his usual address.

5. In the said municipality, any supervisor may admin- ^{Supervisor may} ister any oath required to be taken under the said Act and ^{administer oath.} any amendment thereof, except his own oath of office.

6. Section 22 of said chapter 67, is amended, in so far ^{Section 22} as it relates to the said municipality of West Hants, by ^{amended.}

striking out all the words after the word "defined" in the fifth line thereof, and by substituting therefor the following clause: "The property of any widow, unmarried woman, or wife deserted by her husband, assessed in her own name, shall be exempt from road tax on property assessed to her, to the extent of four hundred dollars (\$400), but shall be liable to pay the tax on any amount assessed in excess of that sum. Provided, however, that the said exemption shall not apply in any case where there is a male relative of the age of twenty-one years or upwards, residing with the widow, unmarried woman, or wife deserted by her husband, or upon the property so assessed.

CHAPTER 92.

An Act to authorize the Town of Inverness to borrow money for School purposes.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Power to borrow.
2. Debentures.
3. Interest, how rated.
4. Sinking fund.
5. Money, how chargeable.

SECTION.

6. Money, when deposited.
7. Town meeting to ratify.
8. Proof of resolution.
9. When money may be borrowed.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Power to borrow.

1. The town of Inverness is authorized to borrow the sum of five thousand dollars for the purpose of extending the present area of the school grounds of the town, and to pay off the floating indebtedness already incurred for school buildings in said town.

Debentures.

2. The town of Inverness may issue debentures for the sum so borrowed in sums of one hundred dollars, or any multiple thereof, bearing interest at a rate not exceeding five per cent. per annum, payable half yearly and redeemable in thirty years from the date of the issue thereof. Such debentures shall be subject to the provisions of "The Municipal Debentures Act, 1902," in so far as the same are consistent with this Act.

Interest, how rated.

3. The town council shall annually add to the amount to be rated upon the town for general purposes, a sufficient

sum to pay the interest upon such debentures and the expense of collecting and disbursing the same, and such sum shall be rated and collected in the same manner and with the same remedies as other rates and taxes.

4. For the purpose of providing a sinking fund for the Sinking fund. payment of the said debentures at maturity, the town council shall annually add to the amount to be rated upon the town such sum as the council determines, not however to be less than two per cent. of the amount so borrowed, and such sum shall be rated and collected in the same manner and with the same remedies as ordinary rates and taxes.

5. The money required for the purpose of this Act shall be borrowed on the credit of the town, and the principal sums and interest thereon shall be a charge upon the property, funds and revenue of the town. Money, how chargeable.

6. The money borrowed under the authority of this Act shall be paid into the hands of the treasurer of said town and shall be by him paid out as the town council shall determine for the purposes mentioned in the first section of this Act, and for no other purpose. Money, when deposited.

7. This Act shall not take effect until the same is adopted by a meeting of the ratepayers of the town duly convened in accordance with the provisions of sections 143 and 144 of the Towns' Incorporation Act, and it shall be lawful for the said meeting to direct the town council to borrow the whole or from time to time any part of the sum mentioned in this Act. Town meeting to ratify.

8. A certificate under the hand of the mayor and town clerk, and under the corporate seal of the town, of a resolution passed under the next preceding section of this Act, shall be conclusive evidence of the adoption of the Act and of the passing of the resolution provided for in said section. Proof of resolution.

9. Upon approval by vote of the ratepayers in accordance with the provisions of sections 143 and 144 of the Towns' Incorporation Act, the town council of the said town is authorized to borrow the sum of five thousand dollars in whole or in part, or in such amounts from year to year as the said council by resolution declares to be necessary and expedient, but so that the amount so borrowed shall not in the aggregate exceed the said sum of five thousand dollars. When money may be borrowed.

CHAPTER 93.

An Act for supplying the Town of Inverness with Water.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Power to supply water.
2. May acquire title to lands.
3. May open roads.
4. Land, how acquired.
5. Compensation for damages.
6. Service pipes.
7. Surveys and plans.
8. Water works may be enlarged.
9. Town may borrow money.
10. Debentures to be issued.
11. Application of income.
12. Power to supply water.
13. Moneys due, how received.
14. Water commissioners.
15. Power to enter tenements.

SECTION.

16. Charge for water.
17. Correction of measure.
18. Rate to be paid.
19. Care of meters.
20. Meters, how supplied.
21. Official to enter premises.
22. Waste of water prohibited.
23. Who may interfere with hydrant.
24. Pipes, how placed.
25. May decline to furnish water in certain cases.
26. Property of the town.
27. General powers.
28. Sinking fund.
29. Power restricted as to Lake Ainslie.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Power to
supply water.

1. The town council of the town of Inverness, is hereby authorized and empowered to provide for the town of Inverness a good and sufficient supply of water for domestic, fire and other purposes, and in order to obtain such supply, to enter into a contract or contracts for that purpose by tender or otherwise, or in any manner or way in the discretion of the town council to construct works, to lay pipes, to build dams or reservoirs, acquire lands and to do all things necessary to be done in the premises.

May acquire
title to land.

2. For the purpose of obtaining the said supply of water, the town is hereby authorized and empowered subject to the provisions of the Act, to enter upon temporarily or to acquire title to or rights over any land within the limits of the town of Inverness, and upon any land in the county of Inverness outside the limits of the town of Inverness, and the bed of any river, lake or stream whatsoever in the county of Inverness, or within the limits of the town of Inverness, and to build dams, reservoirs, or other works, wherever necessary, and to cause the water to overflow the land bordering on such river, lake or stream, and to take from such river, lake or stream, or from any pond or spring, such quantity or quantities of water as may be required; and in the constructing, building or repairing of any dams or reservoirs, and in the laying down, constructing, repairing or altering of any main or service pipe, or other structure, under the provisions of this Act, the town council and their engineer, superintendent, servants or workmen, shall, subject to the provisions of this Act, have full power, and they are hereby authorized from time to time, as occasion

may require to enter upon any lands or tenements, inhabited or uninhabited, whether within the said town or outside of the same, and may remain thereon as long as they may deem requisite for the proper execution of the work, and make all such excavations on the premises as may be expedient, and take up and remove any floors, timbers, plank, walls, fences, or erections whatsoever, doing no unnecessary damage to the same, and carefully replacing the same, as far as can be, on the requisite work being performed.

3. It shall be lawful for the town council, from time to time, for the purposes of this Act and for the repairing of any works constructed thereunder, to open the roads, streets and highways within the town and those outside the town, when necessary, and to keep any such road, street or highway open for such reasonable time as may be necessary, and to cause such reservoirs, tanks, fountains, hydrants, leaders, pipes and tubes, to be laid and placed on or under such roads, streets and highways as may be necessary and proper, the said town council closing up, repairing and making good such roads, streets and highways, and the said town shall continue to be the owner of all such reservoirs, tanks, fountains, hydrants, leaders, pipes and tubes, and other works as are from time to time constructed under the authority of this Act, notwithstanding that the same are laid or built under, on, over or through any highway or other property, place or thing not belonging to the town. May open roads.

4. Whenever it shall be necessary for securing the necessary supply of water, the laying down or placing of any reservoirs, tanks, fountains, pipes, leaders or tubes, or for any purpose whatsoever under this Act and for the purposes of said water supply, that the town of Inverness should be invested with the title to or possession of any lots or parcels of lands and premises situated anywhere, or easements pertaining to the same, either in the town or outside the limits of the town, it shall be lawful for the council, in case they cannot agree with the proprietors of such lands respectively for the purchase or lease thereof as may be required, to give notice in writing to the party or parties whose lands are intended to be taken, or to his or their agent, that the said lands are required for the purposes of the town under this Act, and for the purposes of the water supply for said town, and shall request the party or parties whose land it is proposed to take or occupy, or his or their agent, to appoint one arbitrator, and the council shall appoint one Land, how acquired.

arbitrator, and a judge of the Supreme or county court shall appoint a third arbitrator, and the arbitrators so appointed shall proceed to determine the damages, if any, and award the same to be paid to the owner or occupier, as the case may be, and the award of said arbitrators, or any two of them, shall be final and conclusive, provided the town council decide to take such lands, and thereupon the town shall pay and satisfy, within six months, to those entitled to receive the same, the full amount of such award or valuation, and immediately upon the payment or tender of the sum awarded as aforesaid to the owners, or in case of dispute, to such parties as a judge of the Supreme Court shall decide, the town shall be and be deemed the rightful purchasers and owners in fee simple of such lot or parcel of land with the appurtenances, if the said award be for the purchase thereof, or otherwise the tenant thereof for such time as in such award set forth; and in case the proprietor of such lands neglects or refuses to appoint an arbitrator within thirty days after due notice as aforesaid, or in case the proprietor cannot be found, or is absent and has no known agent residing in the province, a judge of the Supreme or county court may appoint such arbitrator, who shall be disinterested and not a resident of the town of Inverness. If the town council have reason to fear any claims or encumbrances, or if any party to whom compensation is payable cannot be found or is unknown, or if for any other reason the council deems it advisable, the council may pay such compensation into the office of the prothonotary of the Supreme Court of the county of Inverness. A judge of such court may by order direct such compensation to be deposited in some bank, there to remain until by him directed to be paid out to the party entitled thereto, and there shall be delivered to the prothonotary aforesaid, together with his receipt for the amount awarded, when registered in the office of the registry of deeds for the county of Inverness, shall thereafter be deemed to be the title of the town to the property therein mentioned.

Compensation
for damages.

5. In the event of any damage being done in the execution of the work, the party sustaining such damage shall be entitled to receive such compensation as shall be mutually agreed upon, and in case no other agreement can be made, three appraisers, one to be appointed by the party sustaining such damage, one to be appointed by the town council, and the third to be appointed by the two appraisers already so appointed, shall view the premises and determine the damage, if any, without hearing evidence in the matter, and the decision of said appraisers, or any two of them, shall be

final and binding on the parties, and the amount so assessed or determined shall be paid within three months thereafter. In case the party sustaining such damage shall not appoint an appraiser as aforesaid, within thirty days after the service upon him of a notice in writing, requesting him to appoint such appraiser, the judge of the county court for district number six may appoint such appraiser. In case the two first appraisers, whether one be so appointed by the judge or otherwise, cannot agree upon the appointment of a third appraiser, said third appraiser may be appointed by said county court judge.

6. The service pipes for water supply to houses, buildings or establishments which are to be supplied with water under this Act shall be carried from the main to the side line of the street at the expense of the town when requested by notice, in writing, from the owner of any house opposite to which the main is laid, and all beyond that distance at the expense of the owner or lease holder for life or term exceeding five years of the premises so supplied, or at the expense of the town, as the council may deem proper. Service pipes.

7. The council may employ and pay a competent engineer and assistant, to make surveys and plans of the streets within the town of Inverness, showing the surface of the streets as existing, and the permanent levels to be thereafter made, which levels, when approved by the town council, shall be and remain the permanent levels. The plan shall be filed in the office of the town clerk, as public records of the same. Surveys and plans.

8. The town council may, from time to time at such times as they may deem expedient, improve, extend or enlarge the water works of the town, or make repairs, lay new pipes and do all things necessary to afford a sufficient supply of water. Water Works may be enlarged.

9. The town of Inverness is authorized to borrow a sum not exceeding forty-five thousand dollars for the purpose of supplying the town with water and of carrying into effect the works contemplated by this Act. No money shall be borrowed under the provisions of this Act until a meeting of the ratepayers of the town has been called pursuant to the provisions of sections 143 and 144 of the Towns' Incorporation Act, and the said meeting has approved and ratified by a majority vote the borrowing of the amounts proposed by this Act. Town may borrow money.

Debentures
to be issued.

10. The town of Inverness may issue debentures for the sum so borrowed in sums of one hundred dollars, or any multiple thereof, bearing interest at a rate not exceeding five per cent. per annum, payable half yearly and redeemable in thirty years from the date of the issue thereof. Such debentures shall be subject to the provisions of "The Municipal Debentures Act, 1902," and amendments thereto, in so far as the same are not inconsistent with this Act.

Application
income.

11. The moneys accruing from the annual income of the water supply, from whatever source, shall be apportioned and applied, in the first place, to discharge the current expenses incurred in the management and working of the said water works system and in the execution of the requirements and provisions of this Act; and, in the next place, towards the payment of the half-yearly interest of the debentures issued under the authority of this Act; and lastly, the sinking fund in connection therewith to be fixed by the town council not, however, to be less than one per cent. annually on the amount borrowed under this Act, and, in case the whole income shall not be sufficient for the purposes before mentioned, the deficiency shall be made good and supplied by the general annual assessment to be made and levied in the same manner and with the same remedies as the ordinary rates and taxes of the town.

Power to
supply water.

12. (1) The town council of the town of Inverness shall have full power to supply the town and its inhabitants as well as persons or bodies corporate residing or being without the town limits, from the system constructed under this Act, with a good and sufficient supply of water for domestic, fire, or other purposes, upon such terms in either case as the town council may impose, and shall have full power, from time to time, to make, repeal, alter or amend all such ordinances, by-laws, rules and regulations as such council shall deem requisite and necessary for regulating the conditions under which the inhabitants of the town, and others, shall make use of the water and the price therefor to be paid to the town; for preventing any person or corporation supplied with water from wasting, vending, or improperly disposing of the same; for prohibiting the use of water by others than those to whom the same may be supplied by the town; for preventing injury to any hydrant or other machinery, stock or material of or in any way belonging to or connected with the said system, for preventing of bathing and fishing, trespassing or creating a nuisance in, on, or about any reservoir, or in or about the source or place of supply in any lake or stream owned by

the town and belonging to or used in connection with the said system, whether the same shall be within the boundaries of the said town or not; and also regarding any other matter or thing which it may be necessary or expedient to regulate for the providing and carrying out of the objects of this Act or of any amendment thereof, in order to secure a continuous, abundant and good supply of water, suitable for domestic, fire and other purposes. But all such ordinances, by-laws, rules, and regulations and every amendment, or repeal thereof, shall be subject to the approval of the Governor-in-Council.

(2) The town council may enforce such by-laws, rules and regulations by affixing penalties for the violation thereof, and may provide that in default of payment thereof any such penalties may be levied by distress and sale of goods and chattels of the offender, and may enact in and by any such by-law, in case of such offender being other than a body corporate, that such offender may in the discretion of the stipendiary magistrate, either in default of immediate payment, or for want of goods and chattels whereon to levy to satisfy the said penalty and costs, together with the costs incurred in attempting to enforce payment of such penalty, be imprisoned, either with or without hard labor, and for such period as in the said by-laws shall be prescribed. Such prosecution shall be brought before the stipendiary magistrate of the town, on the information of the town or of any officer thereof, under the provisions of "The Nova Scotia Summary Convictions Act," and the Acts in amendment thereof, and such stipendiary may in and by such conviction award costs against such offender. The said by-laws, and each of them, when passed by the town council and approved by the Governor-in-Council, shall have the force of law, and shall be as valid and effectual as if the same and each of the same were incorporated in and formed a part of this Act.

13. All sums of money due or to accrue due to the town for water supplied or to be supplied from the said system, shall constitute a debt from the applicant for or person supplied with such water to the town (but not so as to affect any other remedy or proceedings for, or enforcing the payment of the same), and may in addition to any other remedy which the town may have in regard thereto, be collected in a civil action, with costs, at the suit of the town before the stipendiary magistrate of the town, or any justice or justices of the peace in and for the county of Inverness, having jurisdiction in the premises.

Moneys due,
how received.

Water
commissioners.

14. It shall be lawful for the town council to appoint a board of three persons, one or more of whom may be a member of the town council, to be known as water commissioners, who shall be subject to the control of the town council, and shall hold office at the pleasure of the council, and one only of whom may be remunerated at the discretion of the council. The said commissioners shall have such powers and perform such duties relating to the construction of the work contemplated by this Act and in the management and working of the water works system of the town when constructed, as the town council may from time to time by by-law direct.

Power to enter
tenements.

15. In laying down, constructing, repairing and altering any main service pipes under the provisions of this Act, the town council and its servants, agents or workmen shall have full power, and they are hereby authorized, from time to time as occasion may require, to enter upon any lands and tenements in the town, and also upon any lands and tenements outside the limits of the town, but within the county of Inverness, whether inhabited or otherwise, and remain thereon as long as they may deem requisite for the proper execution of the work; and may make all such excavations on the premises as may be expedient, and take up and remove any floors, timbers, planks, or any walls, fences or erections whatsoever, doing no unnecessary damage to the same, and carefully replacing the same upon the requisite work being performed; provided that no such entry shall be made between the hours of sunset and sunrise, nor without the permission of the owner or occupant, if resident on the premises being requested; but the refusal of such permission shall not prevent or delay the execution of the work.

Charge for water.

16. The water commissioners may at any time they deem proper, order a water meter, to be affixed on any premises, and the charge shall be at such rate per hundred gallons, and with such annual rental on the metre, as they may deem equitable.

Correction of
measure.

17. In case the meter shall fail to measure correctly, the water commissioners shall determine the probable amount of water used, and make an equitable charge for the same.

Rate to be paid.

18. Premises under which meters are used, shall, however, in no case pay less than the general rate by by-law established.

19. The occupant of the premises shall be responsible ^{Care of meters.} for the care of the meters, and if in any case any person injures or tampers with a meter in any way, the occupant shall be liable to a fine of not less than ten dollars, nor more than fifty dollars.

20. Persons wishing to supply their own meters may do ^{Meters, how supplied.} so on the written sanction of the water commissioners.

21. Any authorized official of the town shall have the ^{Official to enter premises.} right to enter upon any premises between the hours of 8 a. m. and 6 p. m. for the purpose of ascertaining the number or state of the water fittings or pipes, or for fixing or examining any meter, or to see if the water is unlawfully taxed or used, and he may remain thereon for such reasonable length of time as may be necessary. Any unnecessary damage he may do or occasion, shall be made good by the town; and if any person after two hours' notice, shall prevent his entry into any house, hall, passage, cellar or other place where pipes or fittings are supposed to be, or at any time interfere with him in the proper discharge of his duties, the town council may order the water to be turned off from the premises of the offender, and in addition thereto he shall, upon conviction before the stipendiary magistrate, pay a fine of not less than five, nor more than twenty dollars.

22. The waste of water under any circumstances is ^{Waste of water prohibited.} prohibited, and when detected the water may be turned off from the premises, and a fine of one dollar paid before it is turned on again. For the second offence a fine of two dollars shall be paid before it is again turned on, and one dollar shall be added to the fine on each succeeding occasion, before the water is let on the premises where waste is repeatedly detected.

23. No person unauthorized by the town council, water ^{Who may interfere with hydrant.} commissioners or firewards shall draw water from, close cut, break, or in any way injure or interfere with any fire hydrant, water main or water pipe, under a penalty of not less than ten dollars nor more than one hundred dollars. Provided, that in case of a fire occurring in the town, the fire company or any officer, or any member acting under the regulations of the fire department, may use the hydrants to such extent and in such manner as may be necessary for the purpose of subduing the fire. Provided further, that the fire company may use the hydrants for the purpose of practice or for testing hose or apparatus, at such times as the

captain may deem necessary, between the first day of April and the first day of December.

Pipes, how placed.

24. All water pipes and fixtures, and all extensions or additions to old pipes or fixtures, shall be kept clear of any external wall or exposed or dangerous position liable to be affected by action of frost, or where waste of water could occur without being easily detected, and all such pipes and fixtures shall be thoroughly protected from the action of frost to the satisfaction of the water commissioners, or otherwise the water shall not be let on the premises.

May decline to furnish water in certain cases.

25. Whenever any authorized officer of the town council shall report that the water pipes or fixtures or fittings in or about any premises or private property are in a bad condition or in improper or dangerous positions, or insufficiently protected from frost so that in the opinion of said water commissioners waste of water is liable to occur, the water commissioners may in all such cases at their option, either charge twenty-five per cent. extra on the water rates for such premises or private property, or may decline to furnish water to the premises so reported, until the pipes and fixtures are put in a satisfactory condition.

Property of the town.

26. All mains, hydrants service pipes and other works connected with the water supply of the town, shall be deemed and taken to be the property of the town of Inverness for all legal purposes.

General powers.

27. Notwithstanding anything in this Act contained, the town council shall have the power, if they deem it for the interest of the town, to construct the works, or any of them, lay the pipes, or any of them, build dams or reservoirs, and generally do all or any of the work or things requisite to be done or provided for, or contemplated under this Act, otherwise than by contract, or to have the same or any of the same constructed, built, or done by days' work, or in such manner as the council may deem best.

Sinking fund.

28. (1) In order to provide a sinking fund for the payment of the debentures authorized to be issued under this Act, the town council shall annually include in the estimate of the sums required for purposes of the said town, provided the annual income of the water works as hereinbefore provided for be not sufficient for the purposes specified, such sums as may be acquired to meet such deficiency, the total amount of such sinking fund, not, however, to be less than one per cent. of the amount borrowed under this Act.

and such sums shall be rated and collected in the same manner and with the same remedies as other rates and taxes in said town are rated and collected.

(2) The provisions of "The Municipal Debentures Act, 1902," and amendments thereto, shall apply to such sinking fund, where not inconsistent with this Act.

29. Nothing in this Act contained shall be construed so as to confer upon the town of Inverness any rights or property in or to the waters of Lake Ainslie, or the lands covered by said waters, except in so far as the same have been acquired by grant from the Crown or by proceedings taken under the provisions of this Act.

CHAPTER 94.

An Act to confirm and legalize the list of voters and the election of members of the Town Council of the Town of Inverness.

(Passed the 7th day of April, A. D., 1905.)

SECTION.
Preamble.

SECTION.
1. Election legalized.

Whereas, the town of Inverness was incorporated under "The Towns' Incorporation Act" on the sixth day of April, 1904;

And whereas, the list of voters for the election of a mayor and councillors had not been prepared at the time prescribed for the second election after incorporation;

And whereas, a list of voters was prepared by the town clerk in the same manner as the list for the first election after incorporation was prepared and said list was used at said second election;

Be it therefore enacted by the Governor, Council, and Assembly, as follows:—

1. The list of voters prepared by the town clerk of the town of Inverness for the election of a mayor and councillors of said town, and the election held on said list on the seventh

day of February, 1905, being the second election after the incorporation of said town, are confirmed and declared to have been valid and legal for all purposes.

CHAPTER 95.

An Act to confirm the Assessment Roll and Rate Book of the Town of Inverness for the year 1904.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

Preamble.

1. Assessment legalized.

Preamble.

Whereas, the town of Inverness was incorporated on the 6th day of April, 1904, and after the time fixed for preparing the assessment roll for the year 1904 had elapsed; and whereas the rate book for the said town for the year 1904 was prepared by the town clerk from an assessment roll prepared by assessors appointed by the town council from the municipal assessment roll, for said year,

Be it therefore enacted by the Governor, Council, and Assembly, as follows:—

Assessment legalized.

1. The assessment for the town of Inverness for the year 1904, prepared by the town assessors from the municipal assessment roll, and the rate book prepared for said town from such assessment roll, are confirmed and declared to be legal and valid for all purposes.

Remedies applicable.

2. All the remedies provided by the assessment Act for the collection of rates and taxes shall be applicable to the collection of the several amounts of the rates and taxes payable by the several persons, firms, companies, associations or corporations mentioned in the said rate book for the year 1904.

SECTION.

2. Remedies applicable.

CHAPTER 96.

An Act to amend Chapter 99, Acts of 1903-4, entitled, "An Act to enable the town of Port Hood to borrow money."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 3 amended.

SECTION.

2. Amendment, how construed.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Section 3 of chapter 99 of the Acts of 1903-4, is amended- Section 3 amended. by inserting the word "present" after the word "rate-payers," in the third line thereof.

2. The Act hereby amended shall be construed as if it Amendment, how construed. had been originally passed as amended by this Act.

CHAPTER 97.

An Act to legalize the Assessment Roll of the Town of Port Hood for 1905.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Assessment roll legalized.

SECTION.

2. Pending litigation not affected.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The assessment roll of the town of Port Hood for 1905, prepared by the assessors with the changes therein Assessment roll legalized. made by the assessment appeal court on appeals, regularly brought before said court by notice of appeal, and any rate book or rate roll prepared thereon are hereby legalized and confirmed and declared valid and binding, notwithstanding any irregularity in the appointment of the assessors or the appointment or constitution or proceedings of the said appeal court, and notwithstanding any irregularities, informalities, errors, omissions, or defects in substance or in form, or in any proceedings in connection therewith; and the said assessment roll as prepared and changed as aforesaid, and any rate book or rate roll prepared thereon are declared to

be the assessment roll and rate book or rate roll of the town of Port Hood for the year 1905, notwithstanding the provisions of any statute of this province.

Pending litigation not affected.

2. Nothing in this Act shall be construed so as to affect any pending litigation.

CHAPTER 98.

An Act to amend Chapter 81, Acts of 1900, entitled, "An Act to enable the Municipality of Inverness to borrow money to pay Railway Damages."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Authority.

SECTION.

2. Money, how paid.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Authority.

1. The treasurer of the municipality of the county of Inverness is empowered to apply eight thousand dollars of the money borrowed by said municipality, under the provisions of chapter 81 of the Acts of 1900, towards payment for the land required and taken by the Mabou and Gulf Railway Company, limited, for railway purposes between Mabou Coal mines and the junction with the Inverness Railway and Coal Company's railway at or near Glendyer.

Money, how paid.

2. The said sum of eight thousand dollars shall be paid by said treasurer for the land so required and taken as aforesaid, upon the order of the warden of said municipality.

CHAPTER 99.

An Act to provide aid for the Construction of a Railway in the County of Inverness.

(Passed the 7th day of April, A. D., 1905.)

SECTION.
Preamble.
1. Resolution ratified.

SECTION.
2. Power to give bonus.

Whereas, The municipal council of the municipality of the county of Inverness, at a regular meeting thereof holden on the 25th day of January, A. D. 1905, passed the following resolution :

Whereas, the Margaree Coal and Railway Company, Limited, have petitioned the council of this municipality to grant said company a free right-of-way for their line of railway from a point at or near Orangedale on the Intercolonial Railway to Margaree Harbor via east side of Lake Ainslie and St. Rose, and from Margaree Harbor at the termination of the first mentioned section to Cheticamp, to take effect and be available for the said The Margaree Coal and Railway Company, Limited, on the expiration of the time limited in section 5 of chapter 85 of the Acts of Nova Scotia, 1900 ;

And whereas, this council from experience acquired in the past in dealing with matters of this kind, deems it inexpedient to grant the prayer of said petition ;

Now therefore resolved, That this council refuses to become liable for any compensation or damages for any lands taken or acquired by said company within the bounds of this municipality for railway or other purposes ;

Further Resolved, That in consideration of the said The Margaree Coal and Railway Company, Limited, its successors or assigns, building, completing and equipping its said railway from a point on the Intercolonial Railway at or near Orangedale, thence via east side of Lake Ainslie to a point at or near Margaree Forks on the south-west of Margaree, thence to Chimney Corner Coal Mines and St. Rose, on or before the 31st day of December, A. D. 1908, the work of construction to be commenced on said railway on or before the 1st day of October, 1905, and vigorously prosecuted so that said railway shall be fully completed

and equipped with rolling stock for passenger traffic on or before the said 31st day of December, A. D. 1908, to the satisfaction of the Provincial Engineer;

And, if the Inverness Railway and Coal Company does not build its line of railway from Broad Cove Mines to Cheticamp, within the time limited by said section 5 of chapter 85, of the Acts of Nova Scotia, 1900, then in consideration further of said Margaree Coal and Railway Company, Limited, its successors or assigns, building, completing and equipping a line of railway, from said Chimney Corner Coal Mines to Cheticamp, work of construction on the last mentioned line of railway, to be commenced by said Margaree Coal and Railway Company, Limited, its successors or assigns, before or immediately upon the completion of said railway from said point on the Intercolonial Railway to Chimney Corner Coal Mines, not in any event later than the 1st day of January, A. D. 1909, and such works of construction to be vigorously prosecuted so that said line of railway from Chimney Corner Coal Mines to Cheticamp, shall, by said Margaree Coal and Railway Company, Limited, its successors or assigns be fully completed and equipped with rolling stock for passenger traffic to the satisfaction of the Provincial Engineer, on or before the 31st day of December, A. D., 1910, the municipality of the county of Inverness agrees to and with the said Margaree Coal and Railway Company, Limited, its successors or assigns, to pay the said The Margaree Coal and Railway Company, Limited, its successors or assigns, the sum of one thousand dollars per mile for each and every mile of said railway from said point on the Intercolonial Railway to Cheticamp fully completed and equipped as aforesaid, providing that no part of said sum hereby agreed to be paid, shall become payable unless and until said Margaree Coal and Railway Company, Limited, its successors or assigns, shall have fully completed and equipped as aforesaid its said railway from said point on the Intercolonial Railway to Cheticamp on or before the 31st day of December, A. D., 1910, as aforesaid. But if said Inverness Railway and Coal Company shall build its line of railway from Broad Cove Mines to Cheticamp within the time limited by section 5 of chapter 85 of the Acts of Nova Scotia, 1900, then the said sum hereby agreed to be paid shall become payable for the mileage of the railway from said point on the Intercolonial Railway to Chimney Corner Coal Mines when the same is fully completed and equipped as aforesaid by said Margaree Coal and Railway Company, Limited, providing also that time shall be deemed to be of the essence of this resolution and failure on the

part of the said Margaree Coal and Railway Company, Limited, to comply with the terms of this resolution or to the time within which the railway is to be completed or equipped and the work of construction commenced shall render this resolution null and void. Providing further, that this resolution shall not take effect until the same is confirmed by act of the Legislature of Nova Scotia.

Also resolved, that the treasurer of this municipality shall not be called upon to pay any money under the terms of this resolution until a certificate under the hand of the Provincial Secretary is first presented to him, that the Provincial Engineer has filed in said Provincial Secretary's office a certificate that the said The Margaree Coal and Railway Company, Limited, have completed and equipped their railway to the satisfaction of said engineer, and within the provisions and requirements of this resolution.

And whereas, it is expedient that said resolution be confirmed by the Legislature of Nova Scotia :

Be it therefore enacted by the Governor, Council, and Assembly, as follows:—

1. The above recited resolution is hereby ratified, confirmed and legalized and made binding on both parties. Resolution ratified.

2. The municipality of the said county of Inverness is authorized and empowered to enter into an agreement with "The Margaree Coal and Railway Company, Limited," through its warden and clerk, to pay the said company, its successors or assigns, a cash bonus of one thousand dollars per mile in lieu of a free right-of-way for the railway of said company through the county of Inverness in aid of the construction of the line of the said company's railway, from a point on the Intercolonial railway at or near Orangedale, thence via east side of Lake Ainslie to a point at or near Margaree Forks on south-west of Margaree, thence to Chimney Corner Mines and St Rose, according to the terms and conditions of said resolution, and to enter into a further agreement with the said Margaree Coal and Railway Company, Limited, to pay a bonus of one thousand dollars per mile to said company, its successors or assigns, for its line of railway from said Chimney Corner and St. Rose mine to Cheticamp, in accordance with the terms, conditions and limitations of the herein recited resolution, provided always that the said municipal council of Inverness may by resolution of said council enlarge or Power to give bonus.

extend the time for beginning the construction of that portion of the said railway, from, at or near Orangedale to St. Rose. Such enlargement or extension not to enlarge or extend the time for beginning the construction of said portion, beyond the time fixed for commencing operations by section 59 of chapter 143, Acts of Nova Scotia, 1903-4.

CHAPTER 100.

An Act to provide a Polling Place for Smith's Island and Seal Island in the County of Inverness.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Polling district established.
2. Where electors shall vote.

SECTION.

3. Polling district No. 4 affected.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Polling district
established.

1. Smith's Island and Seal Island, both in the county of Inverness, shall constitute a polling district for the purposes of "The Nova Scotia Franchise Act" and "The Nova Scotia Election Act," and a list of voters shall be prepared for and a poll shall be held in the polling district so constituted as prescribed by said Acts.

Where electors
shall vote

2. When a poll is held at an election of a municipal councillor for the polling district, of which for all other purposes Smith's Island and Seal Island form part, electors residing in Smith's Island and Seal Island shall be entitled to vote at a polling place on one of said Islands, and the municipal council shall select the polling place and provide for the taking of the poll at such place as prescribed by sections 17 to 22, both inclusive, of "The Municipal Act."

Polling district
No. 4 affected.

3. Except as in this Act otherwise provided, Smith's Island and Seal Island shall continue to be part of polling district number four, in the county of Inverness.

CHAPTER 101.

An Act relating to Polling District Number 6 (Strathlorne)
in the County of Inverness.

(Passed the 1st day of March, A. D., 1905.)

SECTION.

1. Voters' list, how prepared.
2. Residents only to vote.

SECTION.

3. New list for municipal election.

Be it enacted by the Governor, Council, and Assembly,
as follows :—

1. The municipal clerk of the municipality of the county of Inverness shall forthwith after the passing of this Act, prepare from the list of voters in his hands a list of the voters qualified to vote in polling district number 6, in the county of Inverness, as the same is bounded and constituted since the incorporation of the town of Inverness, and shall furnish a certified copy of the list so prepared, to the presiding officer at the election of municipal councillor for said district. Voters list,
how prepared.

2. No voter shall be entitled to have his name placed on said list unless he is a resident of, or assessed in respect to property situate in said polling district, excluding therefrom the town of Inverness. Residents only
to vote.

3. The list of voters so prepared shall be used at the next poll taken for the election of a municipal councillor for said polling district number 6, after the passing of this Act. New list for
municipal
elections.

CHAPTER 102.

An Act relating to the Town of Kentville.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Appropriation for band.

SECTION.

2. Expenditure, how made.

Be it enacted by the Governor, Council, and Assembly, as follows :—

1. The town council of the town of Kentville shall have power to appropriate yearly from the moneys levied by as- Appropriation
for band.

assessment under the provisions of "The Towns' Incorporation Act," a sum not exceeding one hundred and fifty dollars for current expenses for the purpose of maintaining a band in the town, including rent of rooms, pay of instructors, and other incidental expenses, and to annually vote, include in the assessment on the town, rate and collect, such sum under the provisions of "The Towns' Incorporation Act."

Expenditure,
how made.

2. The expenditure of the amount so appropriated shall be made under the direction of the band committee of the town council subject to review and ultimate control by the town council.

CHAPTER 103.

An Act relating to the Town of Kentville.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to dispose of water.
2. Power to lay pipes.

SECTION.

3. Agreement with Prov. Gov't. ratified.
4. Agreement with Dom. Gov't. ratified.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Power to
dispose of water.

1. It shall be lawful for the town of Kentville, after having provided the town with a good and sufficient supply of water for fire, domestic and other purposes, from the water system of the town, constructed under chapter 51 of the Statutes of Nova Scotia, passed in the year 1887, in conformity with the provisions of the said chapter to dispose of surplus water supplied or produced by such system to the government of the Dominion of Canada or the government of the province of Nova Scotia, or to any person or corporation within or without the town, for any purpose whatever, on such terms as the town council of the town of Kentville shall deem expedient.

Power to
lay pipes.

2. For the purpose of such disposition the town council shall have the same power and authority to construct works, lay pipes, and do other necessary things, as are now vested in the town council in reference to the water system of the town.

Agreement with
Prov. Gov't.
ratified.

3. That certain contract and agreement made between the town of Kentville and the government of the province

of Nova Scotia in reference to a supply of water from the water system of the town of Kentville for the Provincial Sanitarium, situate at or near Kentville, and all things done in that behalf, in compliance with the said contract or agreement, shall be deemed to have been within the power and authority of the town and town council of the town of Kentville to make and do.

4. That certain contract and agreement made between the town of Kentville and the government of the Dominion of Canada in reference to a supply of water from the water system of the town of Kentville, for use on the Militia grounds situate near Kentville, and all things done in that behalf in compliance with such contract or agreement, shall be deemed to have been within the power and authority of the town and town council of the town of Kentville to make and do.

Agreement with
Dom. Gov't.
ratified.

CHAPTER 104.

An Act to enable the Trustees of Randville School Section Number 57 in the County of Kings to sell certain Lands.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

Preamble.

1. Authority to sell.

SECTION.

2. Deed to convey property.
3. Disposition of money.

Whereas, Randville school section, number 57, in the county of Kings, has become amalgamated with Canning school section, number 55, in said county, and there will hereafter be no school within said Randville section;

Preamble.

And whereas, said Randville section is possessed of certain lands formerly used for school purposes described as follows:—All that certain lot of land situate, lying and being at Randville, in the said county of Kings, bounded and described as follows:—Beginning at the south-east corner of the inter-section of Randville street, so-called, with the road leading from said Randville street to Hillaton Station, thence south $51\frac{1}{2}$ degrees east 1.80 chains to lands of L. G. Harris, thence south $8\frac{3}{4}$ degrees west 2.80 chains to lands of said L. G. Harris, thence north $81\frac{1}{4}$ degrees west 1.57 chains to the road leading from said Randville street to Hillaton Station, thence north $8\frac{3}{4}$ degrees east 3.37 chains to the place of beginning;

And whereas, the ratepayers of said Randville school section have petitioned for leave to sell and dispose of said lands which said petition has been approved by the inspector of schools for Kings county ;

And whereas, F. W. Rand, E. B. Strong and Herbert Stairs were the trustees of said section at the time of said amalgamation ;

Be it enacted by the Governor, Council, and Assembly, as follows :—

Authority to sell

1. F. W. Rand, E. B. Armstrong and Herbert Stairs are hereby authorized to sell and dispose of the said lot of land in the preamble to this Act first described by public auction or private sale, by deed which shall be executed by the said F. W. Rand, E. B. Strong and Herbert Stairs.

Deed to convey property.

2. The said deed when so executed shall convey to the purchaser of said land all the property, right and title of Randville school section, number 57, Kings county, in the said lot of land and shall vest in the purchaser all the right, title and interest of the said section of, in or to the said land above described.

Disposition of money.

3. The money received from the sale of said land shall be used by the said F. W. Rand, E. B. Strong and Herbert Stairs to pay the indebtedness outstanding against said section and the balance, if any, shall be appropriated towards the school rates of the said section for one year.

CHAPTER 105.

An Act to amend Chapter 109, Acts of 1902, entitled, "An Act to enable the Town of Wolfville to Borrow Money to Construct a System of Sewerage."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section 28 amended.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Section 28 amended.

1. Section 28, of chapter 109, of the Acts of 1902, is—

hereby amended by inserting after the word "sale" in the 6th line of said section, the words "and also all other town taxes assessed and unpaid in respect to the said land."

CHAPTER 106.

An Act relative to the Oakland Common, in the County of Lunenburg.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

- Preamble.
1. Lands vested in trustees.
2. Boundary of Common.
3. Board of trustees.
4. Election of trustees.
5. Secretary and treasurer.

SECTION.

6. Vacancy, how filled.
7. Retiring secretary to hand over books.
8. Re-election of trustees.
9. Trustees, a body corporate.
10. By-laws.
11. First board of trustees.

Whereas, a certain piece of land situate at Oakland, in Preamble- the County of Lunenburg, known as the Oakland Common, was granted by His Majesty, King George the Third, in the year of our Lord, 1773, to Sebastian Zouberbuhler, Philip Knaut, and Peter Zwicker, and to the survivors of them and to the heirs of said survivors, in trust, for a common, and

Whereas, by chapter 24, of the Acts of the Legislature of Nova Scotia, for the year 1852, provision was made for the selection of trustees in place of the trustees mentioned in the above recited grant, and

Whereas, the mode prescribed for the selection of trustees, as set forth in chapter 24, of the Acts of 1852, is unsatisfactory,

Be it enacted by the Governor, Council, and Assembly as follows:—

1. The said common lands shall, after the passing of this Act be under the control and management of, and Lands vested in trustees. vested in five trustees in trust for the use of the inhabitants of Oakland as aforesaid, resident within the district described and mentioned in the next succeeding section, subject to the limitations, rules and regulations, which may be prescribed by the said board of trustees.

Boundary of
common.

2. For the purpose of this Act the district of Oakland shall be comprised within the following bounds, that is to say,—beginning at Kedy's Bridge at the Head of Mahone Bay Harbour and running in a straight line in a north direction to the railway bridge crossing the Mushamush River, thence in a southeasterly direction along the north shore of Oakland Lake to the bridge known as Broom's Bridge on the old post road leading to Chester, thence in a southwesterly direction to the mouth of the brook in Whynacht's Cove, thence following the shores of Mahone Bay harbour to Kedy's Bridge aforesaid; which described territory is hereinafter referred to as "The District"

Board of
trustees.

3. The board of trustees shall be elected by the male persons of the age of twenty-one years, resident within the district, and whose names appear on the last completed municipal assessment roll for the municipal district of which the district forms a part, prior to such election, as being assessed for real estate. Such board of trustees when elected shall continue in office for the period of three years.

Election of
trustees.

4. A meeting of those qualified to vote for the election of trustees shall be held on the second Tuesday of January, triennially, and shall be called by posting hand bills or notices, signed by the secretary, and said notices shall be posted up in at least six prominent places in the district. Said meeting shall be held within the district, at such place and hour as shall be designated by the board of trustees.

Secretary and
treasurer.

5. The said trustees shall elect one of their number to be secretary and treasurer of the board, and another of their number to be chairman. The secretary shall be the custodian of all books, writings, documents or memoranda relating to said common lands.

Vacancy,
how filled.

6. Should any vacancy occur by death, resignation or otherwise on said board of trustees, between their election or appointment as herein provided, and the next following meeting for election, the vacancies shall be forthwith filled by the remaining trustees or a majority thereof.

Retiring
secretary to
hand over books.

7. Any retiring secretary of the board of trustees shall pass over to his successor all books, writings, documents or memoranda of any kind relating to the said common lands.

Re-election
of trustees.

8. Any trustee shall be eligible for re-election and the

mode of election of trustees at every triennial meeting shall be by ballot, but nominations may be made orally.

9. The said board of trustees are hereby constituted a ^{Trustees, a} body corporate under the name of the "Oakland Common ^{body corporate.} Lands Trustees," and in such name may sue or commence any action respecting encroachments on the common land, or for the recovery of moneys due said trustees and may also defend any action that may be brought against them in respect thereof.

10. The board of trustees are authorized and empowered ^{By-laws.} to make and pass such by-laws and regulations as they shall from time to time deem necessary for the management, improvement, disposition and control of said lands and for the collection and expenditure of any revenue arising therefrom, and a copy of such by-laws and regulations certified by the ^{secretary} shall be filed in the office of the Provincial Secretary and shall be in force until disapproved by the Governor-in-Council.

11. The following persons shall constitute the first board ^{First board} of trustees, that is to say:—James E Ernst, James W. ^{of trustees.} Zwicker, Moor B. Acker, Henry S. Knaut and John Hirtle, all of Oakland aforesaid, who shall continue in office as such trustees until the election of trustees on the second Tuesday of January, A. D., 1906, which shall be the date of the first election of trustees under the provisions of this Act.

CHAPTER 107.

An Act respecting Roads on Tancook Islands in the Municipality of Lunenburg.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

Preamble.

1. Pent roads.

SECTION.

2. Chapter 78, Revised Statutes applicable.

Whereas, in the Island of Tancook in the municipality of ^{Preamble.} Lunenburg, there are three roads called pent roads, which have been open to the free and uninterrupted uses of the public for a great number of years, and

Whereas, the provisions of chapter seventy-eight of the

Revised Statutes, 1900, parts 2, 3 and 4 do not now apply to said pent roads on said Island of Tancook, and

Whereas, the municipal council, of the municipality of Lunenburg, by resolution dated the 13th day of January, 1905, resolved that all roads on said Island of Tancook, not then public roads, be thenceforward public highways;

Be it enacted by the Governor, Council, and Assembly, as follows:—

Pent roads.

1. Said three roads on the Island of Tancook, in the municipality of Lunenburg, heretofore known as pent roads, are hereby declared to be public highways.

Chapter 78,
R. S., applicable.

2. All the provisions of parts 2, 3 and 4 of chapter 78. of the Revised Statutes of Nova Scotia, 1900, and Acts in amendment thereof, not inconsistent with this chapter, shall apply and be applicable to said public highways on said Tancook Island.

CHAPTER 108.

An Act to enable the Trustees of School Section Number 69, in the District of Lunenburg and New Dublin, to borrow Money.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to borrow money.
2. Debentures.
3. Repayment.
4. How rated and collected.

SECTION.

5. Section may be amended.
 6. Debentures Act to apply.
- Schedule.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Power to
borrow money.

1. The trustees of school section number sixty-nine, Getson's, in the district of Lunenburg and New Dublin, are hereby authorized to borrow on debentures a sum not exceeding two thousand five hundred dollars, to be used for the erection and completion of a new school house at Getson's Cove, and for furnishing and equipping the same.

Debentures.

2. Such debentures shall be issued in the form in the schedule to this Act, for one hundred and twenty-five dol-

lars each, shall be numbered consecutively, shall bear interest at a rate not exceeding six per cent., payable annually, and shall be signed by the trustees of section number sixty-nine and countersigned by the secretary, and when so issued shall be a charge upon all the property ratable for school purposes for said school section.

3. One of said debentures shall be payable in each and every year for a period of twenty years from the date thereof to the respective holders thereof, at the office of the secretary of school trustees at Getson's Cove. Repayment.

4. The sum necessary to pay the interest on all outstanding debentures, and also the sum of one hundred and twenty-five dollars, the amount of one of such debentures, shall, in each year, be added to the sum required for the support of schools in the said section, and the same shall be rated and collected in the same manner and with the like remedies as other school rates, and shall be used to pay off the said debentures as they mature, and the interest on outstanding debentures. How rated and collected.

5. Should the sums necessary for the purposes mentioned in the next preceding section be not rated and collected in any year, a judge of the Supreme Court may on application, amerce such school section for such sums. Section may be amerced.

6. The provisions of "The Municipal Debentures Act" shall apply to the loan authorized by this Act in so far as the same are not inconsistent herewith. Debentures Act to apply.

SCHEDULE.

Schedule.

TRUSTEES OF SCHOOL SECTION No. 69, DISTRICT OF LUNENBURG AND NEW DUBLIN.

No.
\$125.00.

Debenture
Transferable.

The trustees of school section number 69, Getson's, in the district of Lunenburg and New Dublin, will pay to bearer on the day of A. D., 19...., one hundred and twenty-five dollars, lawful money of Canada, and interest for the same at the rate of per centum per annum, payable annually upon the day of

.....in each year, at the office of the secretary of trustees, Getson's Cove, county of Lunenburg.

Issued at Getson's Cove, in the county of Lunenburg, this
.....day of.....A. D. 1905.

L. S.

.....
.....
.....} Trustees.

.....Secretary.

No. (of debenture.) COUPON.

The trustees of school section No. 69, district of Lunenburg and New Dublin, will pay to bearer dollars in lawful money of Canada, at the office of the secretary at Getson's Cove, on the.....day of..... A. D. 19...., being twelve months' interest on debenture No....., issued the.....day of.....A. D. 1905.

.....Secretary.

CHAPTER 109.

An Act to authorize the Trustees of School Section Number 15 in the district of Lunenburg and New Dublin, to borrow money for School Purposes.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Authority to borrow.
2. Property liable.

SECTION.

3. Debentures.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Authority
to borrow.

1. The trustees of school section number fifteen in the district of Lunenburg and New Dublin, in the municipality of Lunenburg, are hereby authorized and empowered to borrow a sum of money not exceeding three thousand one hundred and fifty dollars for the purpose of building and equipping a school house for school purposes in said section.

and to issue debentures in the form in the first schedule to chapter 52, Revised Statutes of Nova Scotia, 1900. Such debentures shall be of the sum of one hundred dollars each, and be numbered consecutively, one of which will mature on the 30th day of June in each year according as numbered, until the redemption of the whole issue of said debentures. Said debentures shall bear interest at a rate not exceeding six per centum per annum as the board of trustees may determine, and such debentures shall constitute a debt due by said school section number fifteen, and all sums of money required to pay the said debentures and interest thereon as they may respectively fall due, shall be included in the annual estimate of sums required for school purposes in accordance with the provisions of chapter 52 of the Revised Statutes of Nova Scotia, 1900, "The Education Act."

2. All ratable property, within said school section shall be liable for the redemption of such debentures and interest. Property liable.

3. Such debentures shall be signed by any two of the trustees and countersigned by the secretary. Debentures.

CHAPTER 110.

An Act respecting the Streets of the Town Plot of Chester.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

- Preamble.
1. Action of council confirmed.
2. Plan of streets legalized.
3. Lines of streets
4. Soil vested in His Majesty.
5. Centre of streets.
6. Width of streets.
7. Limits of town plot.
8. District of commissioners of streets.

SECTION.

9. Clerk of commissioners.
10. Penalty in certain cases.
11. Houses not to be removed.
12. Encroachments not to be rebuilt.
13. Projections removed.
14. Penalty for dumping in streets.
15. Actions against commissioners.
16. Fences to be removed.
17. Pending litigation not affected.

Whereas, uncertainty has arisen as to the side lines of the streets within the town plot of Chester;

And whereas, the municipal council of the municipality of Chester did, by resolution dated the 23rd day of April, A. D. 1903, authorize the then warden of said municipality to employ a competent surveyor to survey, define and permanently mark the location and side lines of the several streets, lanes and roads within the said town plot of Chester,

to be confirmed by said municipal council and legalized by the Legislature of the province of Nova Scotia ;

And whereas, the said warden, in pursuance of said resolution, did employ John A. McCallum, a competent surveyor in that behalf to carry out the provisions of said resolution ;

And whereas, said John A. McCallum, as such surveyor, did in pursuance of the instructions of said warden make a plan of said town plot of Chester, delineating thereupon the several streets, lanes and roads and the side lines thereof, within the said town plot of Chester ;

And whereas, the said municipal council of said municipality has by resolution adopted at a regular meeting of said council held on the 18th day of February, A. D. 1904, approved of said plan as showing the true location and side lines of the several streets, lanes and roads within the said town plot of Chester ;

And whereas, it is expedient to legalize the said plan and to define and fix thereby the location and side lines of the several streets, lanes and roads within the limits of the said town plot of Chester as hereinafter defined ;

Be it therefore enacted by the Governor, Council, and Assembly, as follows :—

Action of Council confirmed.

1. The action of said municipal council of the municipality of Chester and of said warden, in causing to be prepared said plan of the streets, lanes and roads within the limits of the said town plot of Chester, is hereby confirmed and legalized.

Plan of streets legalized.

2. The plan prepared by John A. McCallum, signed by him, bearing date 15th July, A. D. 1903, now on file in the office of the clerk of said municipality of Chester, and containing a delineation of the several streets, lanes and roads within the limits of said town plot of Chester, is hereby declared to be the true and legal plan and delineation of the streets, lanes and roads within the said town plot of Chester. The said plan shall be placed on file in the office of the registry of deeds for the municipality of Chester, and a copy thereof duly certified by the registrar of deeds for said municipality shall be kept on file in the office of the said municipality.

3. The lines upon the ground corresponding with the Lines of streets. lines laid down on said plan, as indicating the side lines of streets, lanes and roads within said town plot of Chester, are hereby declared to be and henceforth shall be and be deemed to be the true and legal side lines of the several streets, lanes and roads within said town plot of Chester.

4. All the soil of the said streets, lanes and roads within Soil vested in His Majesty. the said town plot of Chester up to the said side lines, is hereby declared to have been and to be vested in His Majesty the King forever for public highways, and the management and control thereof declared to be in the municipal council of the municipality of Chester.

5. The iron bolts placed in said streets, roads and lanes Centre of streets. by said surveyor and marked by him on said plan as indicating the centre of said streets, lanes and roads are hereby declared to be and hereinafter shall be and be deemed to be fixed in the true centre of said streets, roads and lanes respectively.

6. The width of the several streets, lanes and roads on Width of streets. said town plot of Chester is hereby declared to be as follows:—

Central street, sixty-six (66) feet and all streets, lanes and roads parallel thereto and all cross streets, fifty (50) feet; the Valley Road (so-called), forty (40) feet; the Shore Road on the west side of the town from the Town Bridge to South street, forty (40) feet, as delineated on said plan.

7. The limits and boundaries of the town plot of Chester Limits of town plot. shall include the following: The peninsula so-called, the Islands known as Meisner's, Quaker, Big Fish, Big and Little Gooseberry Islands and Little Fish Island, the Old Town Plot from shore to shore and extending north to the south line of the right of way of the Halifax and South Western Railway following the line easterly until it reaches east side of Halifax road, thence by east side of said line of road to North street, thence by east side of Duke street to head of Town Cove.

8. The said town plot of Chester is hereby declared to be a district of commissioners of streets, and the municipal District of commissioners of streets. council of the municipality of Chester shall appoint commissioners of streets therefor under the provisions of chapter 78 of the Revised Statutes, 1900, and Part I of the

said chapter shall apply to the district so created, with the exception of section 8 thereof.

Clerk of
commissioners.

9. The said commissioners of streets shall appoint a clerk and receiver of moneys.

Penalty in
certain cases.

10. Any person appointed a commissioner of streets under the provisions of said Part I, of chapter 78 of the Revised Statutes, 1900, and who refuses to act, shall be liable to a penalty of twenty-five dollars, to be recovered as an ordinary debt in any court of competent jurisdiction by the said municipality of Chester, which is hereby authorized to sue for and recover the same, and such penalty shall be paid by said municipality of Chester, when collected to the said commissioners of streets for said town plot of Chester, as such body corporate, and shall be by them applied to the maintenance of the streets in said town plot of Chester.

Houses not to
be removed.

11. It shall not be lawful for the said commissioners of streets or for any person acting under its authority, to cause to be removed any house, shop or other substantial building or erection now existing which encroaches upon any street as defined and delineated by or under this Act without the consent of the owner thereof, and the payment of such compensation to the owners as may be agreed upon between the said commissioners and the said owner.

Encroachments
not to be rebuilt.

12. Whenever any building now encroaching upon any street or road within said town plot of Chester as defined and delineated under this Act, shall be destroyed by fire or decay or other cause, it shall not be lawful for the owner to rebuild so as to encroach upon such street, lane, or road. Such rebuilding shall be subject to the provisions of sections 15 and 16 of said Part I of said chapter 78, Revised Statutes, 1900.

Projections
removed.

13. The said municipal council may, by resolution at any time, order and cause the removal by its servants, of any bay window, verandah, stoops, steps or platform, or any fence encroaching upon any street, lane or road as defined or delineated by or under this Act, doing as little damage as possible to the main structure to which the same may be attached, and provided that the owners of the structure from which such bay window, verandah, porch, stoop, steps or platform may be removed, shall be paid by said municipality of Chester, such compensation for the damage or injury caused to the main building by such removal as may be agreed upon by the owner and said municipal council.

and such further compensation for any special damage caused by the removal of the bay window, verandah, stoops, steps or platform, as may be agreed upon by the owner and said municipal council. In case they cannot agree, such compensation shall be fixed by three arbitrators, one to be appointed by the owner, one by said municipal council, and the third by the two so appointed, or in case they cannot agree upon any such third arbitrator, by the judge of the county court for the district No. 2, on the application of either the owner or said municipal council. Either the owner or the said municipal council, first appointing its arbitrator may notify the other party in writing of such appointment, and in case of the neglect or refusal of the other party for ten days to appoint an arbitrator, may apply to the said judge of the county court to appoint an arbitrator on behalf of the party so neglecting or refusing to appoint. The arbitrators shall have the power and be governed by the procedure conferred and prescribed in and by the Arbitration Act, 1900, and their award shall be final and conclusive and binding on all parties interested.

14. No person shall hereafter be at liberty to pile, place or dump any refuse, tins, bottles, garbage or ashes, in or upon any street, road, lane or water-front, under a penalty of ten dollars, to be enforced under the provisions of the Nova Scotia Summary Convictions Act. Penalty for dumping in streets.

15. No action or proceeding either at law or in equity, shall hereafter be brought against said municipality or the commissioners of streets, unless one month's notice in writing shall have previously been given by the party intending to bring such action, in which notice shall be clearly specified the grounds upon which such intended action is to be brought, and no plaintiff in any action, or proceeding, either at law or in equity, shall recover any damages against said commissioners, either individually or as such body corporate, unless the judge of the court before whom such action or proceeding shall be tried or had, shall certify under his hand that the said commissioners in doing the act or acts complained of in any such action or proceeding, were actuated by malice or had not acted *bona fide* in the discharge of their duties as such commissioners in respect of such acts or proceedings. Actions against commissioners.

16. All fences encroaching upon any said streets, roads or lanes as defined and delineated in this Act and on said plan and which have not been erected more than five years before the passing of this Act, shall be removed by the Fences to be removed.

owners thereof after ten days' notice from said commissioners of streets, and in default of any such owners removing said fences within said period, then and in every such case it shall be lawful for said commissioners of streets to remove said fences, doing no more harm than is necessary to remove the same.

Pending litigation not affected.

17. Nothing in this Act contained shall be construed so as to affect any existing litigation.

CHAPTER 111.

An Act respecting a Street in the Town Plot of Chester.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

- Preamble.
1. Street identified.

SECTION.

2. Soil vested in His Majesty.
3. Pending litigation not affected.

Preamble.

Whereas, in or about the year 1872, the council of the municipality of Chester caused a certain street to be laid out in the town plot of Chester from the east foot of Regent street along the water's edge northerly to Duke street;

And whereas, after the said street had been so laid out all the papers or plans in connection with same were lost, and doubts have since arisen as to the legality of said street;

And whereas, said street was resurveyed and defined on the 20th of March, 1900, by Charles E. Williams, Wallace Cole and E. C. Smith, commissioners appointed for that purpose by the council of the municipality of Chester;

And whereas, said street is defined in the report of such commissioners, dated November 20th, 1900, with plan annexed, now on file in the office of the clerk of the municipality of Chester;

Be it enacted by the Governor, Council, and Assembly, as follows:—

Street identified.

1. That the street as laid out and defined by said commissioners from the east foot of Regent street along the water's edge northerly to Duke street in the town plot of

Chester, and referred to in the report of said commissioners, dated Nov. 20th, 1900, is hereby declared to be the same street as originally laid out and defined in the year 1872, and that said street was legally laid out in the year 1872, and that encroachments made upon said street since the year 1872 were illegally made, and that the action of the commissioners of streets for the town plot of Chester in the year 1903, in removing the encroachments upon said street was lawful.

2. That the soil in said street, and the land originally or now covered by water within the said lands of said street, is hereby declared to have been vested in her late Majesty the Queen and his present Majesty the King for the use of the public since the year 1872.

Soil vested in
His Majesty.

3. Nothing in this Act contained shall be construed so as to affect any pending litigation.

Pending litigation
not affected.

CHAPTER 112.

An Act to amend Chapter 109, Acts of 1903, entitled, "An Act to enable the Town of Pictou to install and operate an Electric and Gas Plant," as amended.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to borrow additional sum.
2. Reserve fund.

SECTION.

3. Reserve fund, when deposited.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. In addition to the sums authorized to be borrowed by chapter 109 of the Acts of 1903, as amended by chapter 118 of the Acts of 1903-4, the town of Pictou is authorized and empowered to borrow the sum of twelve thousand dollars for the purpose of paying the balance due upon the electric light plant, and for the extension thereof. The provisions of sub-sections 2, 3 and 4 of said chapter 109 of the Acts of 1903, shall be applicable to the moneys borrowed under the authority of this Act.

Power to borrow
additional sum.

2. The town council shall annually set aside out of the earnings derived from electric lighting, a sum equal to two

Reserve fund.

per centum of the total amount borrowed for the purpose of installing and operating the electric light plant, exclusive of the sum of five thousand three hundred dollars appropriated for said purpose out of the amount borrowed under chapter 94 of the Acts of 1900, as a reserve fund to cover depreciation in the said plant.

Reserve fund,
when deposited.

3. Such reserve fund shall be kept in some chartered bank in the province of Nova Scotia, to the credit of an account to be called "Town of Pictou Electric Light Reserve Fund Account," on deposit bearing interest, and shall be applied towards making good depreciations in the said plant.

CHAPTER 113.

An Act to enable the Trustees of School Section Number 13, River John, in the District of North Pictou, to borrow Money.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to borrow.
2. Debentures.
3. Debentures, when paid.
4. Assessment.

SECTION.

5. Judge may amerce.
6. Debentures Act to apply.
Schedule.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Power to borrow.

1. The trustees of school section number thirteen, River John, in the district of North Pictou, are hereby authorized to borrow on debentures a sum not exceeding three thousand five hundred dollars, to be used for the erection and completion of a new school house at River John, and for furnishing and equipping the same.

Debentures.

2. Such debentures shall be issued in the form in the schedule, for one hundred and seventy-five dollars each, shall be numbered consecutively, shall be redeemable one in each year until paid, shall bear interest at a rate not exceeding six per cent. per annum payable half yearly, and shall be signed by the trustees of section number thirteen, and countersigned by the secretary, and when so issued shall be a charge upon all the property ratable for school purposes for said school section.

Debentures,
when paid.

3. One of said debentures shall be payable in each and every year for a period of twenty years from the date

thereof, to the respective holders thereof, at the office of the secretary of school trustees at River John.

4. The sum necessary to pay the interest on all out-standing debentures, and also the sum of one hundred and seventy-five dollars, the amount of one of such debentures, shall, in each year, be added to the sum required for the support of schools in the said section, and the same shall be rated and collected in the same manner and with the like remedies as other school rates, and shall be used to pay off the said debentures as they mature. Assessment.

5. Should the sum necessary for the purposes mentioned in the next preceding section, be not rated and collected in any year, a judge of the supreme court may on application, amerce such school section for such sums. Judge may amerce.

6. The provisions of "The Municipal Debentures Act" shall apply to the loan authorized by this Act in so far as the same are not inconsistent herewith. Debentures Act to apply.

SCHEDULE.

Schedule.

TRUSTEES OF SCHOOL SECTION No. 13, COUNTY OF PICTOU.

No.

Debenture

\$175.00.

Transferable.

(Issued under the authority of chapter of the Acts of 1905, N. S.)

The trustees of school section number thirteen, River John, in the county of Pictou, will pay to bearer on the day of, A. D. 19...., one hundred and seventy-five dollars, lawful money of Canada, and interest for the same at the rate of per centum per annum, payable half-yearly, upon the day of and, in each year, at the office of the secretary of trustees, River John, County of Pictou.

Issued at River John, in the county of Pictou, this day of, A. D. 1905.

[L. S.]

} Trustees.
Secretary.

COUPON.

No. (of debenture.)

The trustees of school section No. 13, county of Pictou, will pay to bearer.....dollars, in lawful money of Canada, at the office of the secretary, at River John, on the.....day of.....A. D. 19...., being six months' interest on debenture No..... issued the.....day of....., A. D. 19....

Secretary.

CHAPTER 114.

An Act to amend Chapter 125, Acts of 1901, entitled, "An Act to enable the Town of Liverpool to borrow money for acquiring a Public Square and erecting a Town Building."

(Passed the 7th day of April, A. D., 1905.)

SECTION.
Preamble.
1. Additional debentures.

SECTION.
2. Debentures Act to apply.
3. Town meeting not necessary.

Preamble.

Whereas, pursuant to public notice, legally given, a public meeting of the ratepayers of the town of Liverpool was held on the sixth day of March, 1905;

And whereas, a vote of the ratepayers present having been duly taken, a resolution was approved at said meeting by a majority of the ratepayers legally voting at such meeting, and in manner provided by law, the said resolution being as follows:

"*Resolved*, that this meeting of the ratepayers of the town of Liverpool, approves the expenditure by the town of Liverpool of the sum of five thousand four hundred dollars, in addition to the amount of fourteen thousand dollars already authorized by said ratepayers, in respect to or for or in connection with the public square and the town building therein, and the issue of debentures under the provisions of and for the purposes contemplated in chapter 125 of the Acts of 1901, for such additional expenditure."

Be it therefore enacted by the Governor, Council, and Assembly, as follows:—

1. In addition to the debenture issue, not to exceed fourteen thousand dollars, authorized by section 2 of chapter 125 of the Acts of 1901, the town council of the town of Liverpool may issue further debentures of the town, over and above the said amount of fourteen thousand dollars, under the provisions of and for the purposes contemplated in said chapter 125, in respect to, or for or in connection with the public square and the town building thereon, to an amount not exceeding five thousand four hundred dollars. Additional debentures.

2. The debentures to be issued under authority of this Act, shall, notwithstanding anything in section 2 of said chapter 125 contained, bear interest at rate not exceeding four and one-half per cent. per annum, and shall, except as may otherwise be provided by said chapter 125 or by this Act, be subject to the provisions of "The municipal debentures Act," and the amendments thereto, and the word "four" in said section two (2), shall for all the purposes of the debentures by this Act authorized, be read and construed as if it were "four and one-half." Debentures Act to apply.

3. Inasmuch as the ratepayers of the said town have in manner by law provided already approved the expenditure by the town of said sum of five thousand four hundred dollars, as in the preamble to this Act mentioned, it shall not be necessary to convene any further or other public meeting, either under the provisions of said chapter 125, or of this Act, or under "The Towns' Incorporation Act" or the amendments thereto, or at all, as a condition precedent to the issuing of said or of any of said debentures by this Act provided for. Town meeting not necessary.

CHAPTER 115.

An Act to amend Chapter 127, Acts of 1903-4, entitled,
 "An additional Act to amend Chapter 117, Acts of
 1899, entitled, An Act to provide for supplying
 the Town of Liverpool with Electric Light."

(Passed the 7th day of April, A. D. 1905.)

SECTION.

Preamble.

1. Section 1 amended.

SECTION.

2. Amendment, how construed.

3. Town meeting not necessary.

Preamble.

Whereas, pursuant to public notice, legally given, a public meeting of the ratepayers of the town of Liverpool was held on the sixth day of March, 1905;

And whereas, a vote of the ratepayers present having been duly taken, a resolution was approved at said meeting by a majority of the ratepayers legally voting at such meeting, and in manner provided by law, the said resolution being as follows:—

"*Resolved*, that this meeting of the ratepayers of the town of Liverpool approves of the expenditure by the town of Liverpool of the further amount of \$14,500.00 (inclusive of \$10,000.00, debentures for which were authorized by chapter 127 of the Acts of 1903-4) in addition to the amount already authorized by said ratepayers, in respect to or for or in connection with the town's electric light system and the issue of debentures, under the provisions of and for the purposes contemplated in chapter 117 of the Acts of 1899 (as amended), for such additional expenditure;"

Be it therefore enacted by the Governor, Council, and Assembly, as follows:—

Section 1
amended.

1. Section 1 of chapter 127 of the Acts 1903-4, is hereby amended by striking out all the words thereof after the word "exceeding" in the twenty-fourth line thereof, and inserting in lieu thereof, as the concluding words of said section, the words "fourteen thousand, five hundred dollars."

Amendment,
how construed.

2. Said chapter 127, shall take and be held to have taken effect for all purposes, and shall be construed as if the amendments hereby made were contained or made in said chapter at the date of the passage thereof.

3. Inasmuch as the ratepayers of the said town have in manner by law provided, already approved the expenditure by the town of said sum of fourteen thousand five hundred dollars, as in the preamble to this Act mentioned, it shall not be necessary to convene any other or further public meeting, either under the provisions of chapter 117 of the Acts of 1899, or of any amendment thereto, or under "The Towns' Incorporation Act," or the amendments thereto, or at all as a condition precedent to the issuing of said or of any of said debentures by this Act provided for.

Town meeting
not necessary.

CHAPTER 116.

An Act to amend Chapter 116, Acts of 1899, entitled, "An Act to provide for supplying the Town of Liverpool with water."

(Passed the 7th day of April, A. D. 1905.)

SECTION.

Preamble.

1. Power to issue debentures.

SECTION.

2. Debentures Act to apply.

3. Town meeting not necessary.

Whereas, pursuant to public notice legally given, a public meeting of the ratepayers of the town of Liverpool was held on the sixth day of March, 1905;

Preamble.

And whereas, a vote of the ratepayers present having been duly taken, a resolution was approved at said meeting by a majority of the ratepayers legally voting at such meeting and in manner provided by by-law, the said resolution being as follows :

"Resolved, that this meeting of the ratepayers of the town of Liverpool, approves the expenditure by the town of Liverpool of the sum of five hundred dollars, in addition to the amount already authorized by said ratepayers, in respect to or for or in connection with the water works of the town of Liverpool, and the issue of debentures under the provisions of and for the purposes contemplated in chapter 116 of the Acts of 1899, as amended, for such additional expenditure."

Be it therefore enacted by the Governor, Council, and Assembly, as follows:—

Power to issue
debentures.

1. In addition to the debenture issue, not to exceed twenty-two thousand dollars, authorized by section 9 of chapter 116 of the Acts of 1899, and in addition also to the further debenture issue, not to exceed six thousand dollars, authorized by section 29 of said chapter 116, as amended by chapter 98 of the Acts of 1900, and in addition also to the further debenture issue, not to exceed fifteen hundred dollars, authorized by chapter 99 of the Acts of 1900, and in addition also to the further debenture issue, not to exceed five hundred dollars, authorized by chapter 146 of the Acts of 1903, (in all thirty thousand dollars,) the town council of the town of Liverpool may issue further debentures of the town, over and above the said amount of thirty thousand dollars, under the provisions of and for the purposes contemplated in said chapter 116, in respect to, or for or in connection with the water works of the said town, to an amount not exceeding five hundred dollars.

Debentures Act
to apply.

2. The debentures to be issued under authority of this Act shall, notwithstanding anything in section 9 of said chapter 116 contained, bear interest at a rate not exceeding four and one-half per centum per annum, and shall, except as may otherwise be provided by said chapter 116, or by this Act, be subject to the provisions of "The Municipal Debentures Act," and the amendments thereto, and the word "four," in the said section nine (9), shall, for all purposes of the debentures by this Act authorized, be read and construed as if it were "four and one-half."

Town meeting
not necessary.

3. Inasmuch as the ratepayers of the said town have in manner by law provided, already approved the expenditure by the town of said sum of five hundred dollars, as in the preamble to this Act mentioned, it shall not be necessary to convene any further or other public meeting, either under the provisions of said chapter 116, or of this Act, or under "The Towns' Incorporation Act," or the amendments thereto, or at all, as a condition precedent to the issuing of said or of any of said debentures by this Act provided for.

CHAPTER 117.

An Act to amend Chapter 123 of the Acts of 1903-4, entitled, "An Act to enable the Municipality of the County of Queens to borrow money to pay Railway Damages."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 1 amended.

SECTION.

2. Amendment how construed.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Section 1 of chapter 123 of the Acts of 1903-4, is hereby amended by striking out the word "ten" in the fourth line thereof, and inserting in lieu thereof the word "thirty."

2. Said chapter 123, shall take and be held to have taken effect for all purposes, and shall be construed as if the amendment hereby made were contained or made in said chapter 123 at the date of the passage thereof.

CHAPTER 118.

An Act to authorize the Trustees of School Section Number 69, West L'Ardoise, in the County of Richmond to borrow Money.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Power to borrow.
2. Repayment.

SECTION.

3. Annual payment.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The trustees of school section number 69, West L'Ardoise, in the county of Richmond, are authorized to borrow on debentures or other form of security, the sum of one thousand dollars, to be used for the erecting and furnishing a school building and for no other purpose.

Repayment.

2. The said sum shall be repaid in fifteen annual equal instalments and shall bear interest at a rate not exceeding five per cent., payable annually. The debentures may be in the form of the first schedule to chapter 52 of the Revised Statutes, 1900, "The Education Act," or such other similar form as is suitable, and if the sum is borrowed on promissory notes, such notes shall be signed by the trustees and countersigned by the secretary. Such debentures or notes shall be a charge upon all the property ratable in the section for school purposes.

Annual payment.

3. The trustees shall annually provide by rate upon the school section an amount sufficient for the payment of the annual instalment and the current year's interest.

CHAPTER 119.**An Act to change the name of a settlement in the County of Richmond.**

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Name changed.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Name changed.

1. The settlement or district in the county of Richmond, now known as Barachois, St. Louis, shall hereafter be known and designated Louisdale.

CHAPTER 120.

An Act to authorize the Municipality of Shelburne to borrow money for Railway Damages, and prescribing the manner of assessing the same.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Power to borrow.
2. Money, how borrowed.
3. Debentures.

SECTION.

4. Interest.
5. Money, how paid.

Be it enacted by the Governor, Council, and Assembly, as follows :—

1. The municipality of Shelburne is hereby authorized Power to borrow. and empowered to borrow such sum of money as shall be required to pay the damages to be awarded by the appraisers for the land taken and acquired by the Halifax and South Western Railway Company, for track and station purposes within the territorial limits of the municipality.

2. All monies so borrowed shall be secured by de- Money, how borrowed. bentures signed by the warden and countersigned by the clerk of the municipality, and sealed with the seal of the municipality, and shall be a charge upon the property and funds of the municipality and of the ratepayers thereof situate within the said municipality, and shall, when not inconsistent with the provisions of this Act, be subject to the provisions of the Municipal Debentures Act, 1902, and shall be used for payment of the awards of said appraisers for said lands, including costs of appraisal, and for no other purpose.

3. The said debentures shall be issued for sums of one Debentures. hundred dollars each, or some multiple thereof, and shall bear interest at a rate not exceeding four and one-half per cent. per annum, and shall be redeemable at a period not exceeding thirty years from the date of issue thereof.

4. The interest shall be paid by the municipal treasurer Interest. out of the general revenue of the municipality, on presentation of the interest coupons attached to the debentures.

5. The sum necessary to pay the interest on the said de- Money, how paid. bentures, and also an amount required to provide for a sinking fund not, however, to be less than two per cent. of

the amount borrowed under the provisions of this Act, shall be included in the estimates for each year while the said debentures are outstanding, by the council of the said municipality, and shall be assessed and collected as a part of the annual assessment.

CHAPTER 121.

An Act to create a Police Division in the County of Shelburne.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Police division created.
2. Police constables to be appointed.

SECTION.

3. Fines, how appropriated.
4. Power to assess.

Be it enacted by the Governor, Council, and Assembly, as follows :

Police division
created.

1. Polling districts numbers 7 A and 7 B in the county of Shelburne, are hereby declared to be a police division as if created under the provisions of chapter 129 of the Revised Statutes, third series, and the municipal council of the district of Shelburne is authorized to provide for the maintenance of a police office and the payment of a stipendiary magistrate therefor.

Police constables
to be appointed.

2. The said municipal council may at any meeting appoint one or more police constables for such police division, may make regulations as to their duties and may provide for their remuneration by salary or otherwise.

Fines, how
appropriated.

3. All monies received by the said municipality on account of fines and penalties imposed in said police division, shall be appropriated towards and used in the payment of the expenses of carrying into effect the provisions of this Act.

Power to assess.

4. Any additional amount required for carrying this Act into effect, shall be rated upon said districts numbers 7 A and 7 B in the same manner, and shall be collected with the same remedies as the general municipal rates.

CHAPTER 122.

An Act to enable the Municipality of Shelburne to make by-laws and regulations respecting the Streets of the Town of Shelburne crossed by the Halifax and South Western Railway.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

Preamble.

1. Power to make by-laws.

SECTION.

2. When power shall cease.

Whereas, the Halifax and South Western Railway Company, have graded their road though the town of Shelburne in accordance with the plan and profiles on file approved by the Governor-in-Council, crossing a large number of streets, some of which are not at present used, and it is necessary that arrangements and regulations should be made respecting the same and for the division of some of said streets;

And whereas, the Town of Shelburne is not at present incorporated and there is no local authority enabled to make such arrangements and regulations;

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The municipal council of Shelburne shall have and possess all the power and authority which a town council of the town of Shelburne would have under the provisions of the Towns' Incorporation Act, if said town was incorporated, for the purpose of making by-laws, orders, rules, regulations or arrangements respecting the closing, diverting or protecting of the said streets or any part of them, where the same are crossed by the said railway, provided, however, that no action shall be taken by the municipal council under this section, until such proposed by-law, order, rule, regulation or arrangement has been first submitted to and approved by a vote of two-thirds of the ratepayers present at a meeting of the ratepayers resident within the limits of school section number 24 in the district of Shelburne, to be called by the warden or the councillors for polling district number 7 of the municipality of Shelburne, in the same manner as provided for a town meeting by section 143 of the Towns' Incorporation Act, but all such by-laws, orders, rules, regulations and arrange-

Power to
make by-laws.

ments shall be subject to the approval of the Governor-in-Council.

When power
shall cease.

2. The power and authority given under this Act to the municipal council of Shelburne shall cease and determine as soon as the said town of Shelburne shall be incorporated.

CHAPTER 123.

An Act to amend Chapter 170, Acts of 1903, entitled, "An Act to enable the Trustees of School Section Number Nineteen in the Municipality of Shelburne to borrow money."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section 2 amended.

Be it enacted by the Governor, Council, and Assembly, as follows:

Section 2
amended.

1. Section 2 of chapter 170 of the Acts of 1903, is amended by striking out the word "four" in the third line of said section, and substituting the words "four and one-half."

CHAPTER 124.

An Act to enable the Municipality of Barrington to make By-laws and Ordinances respecting the use of Woods Harbor Road.

(Passed the 7th day of April, A. D., 1905.)

SECTION.
Preamble.

SECTION.
1. Power to make by-laws.

Preamble.

Whereas, the Halifax and Yarmouth railway crosses both ends of the road known as Woods Harbor Road in the municipality of Barrington, and it is necessary and advisable that gates should be erected across said road, and the same should be made a pent road;

Therefore, be it enacted by the Governor, Council, and Assembly, as follows:—

1. The municipal council of the municipality of Barrington shall have power to make by-laws and ordinances for the purpose of converting the road at Barrington, known as Woods Harbor Road, into a pent road, and to erect and maintain such bars and gates across said road as they deem most convenient for the public, but all such by-laws and ordinances shall be subject to the approval of the Governor-in-Council. ^{Power to make by-laws.}

CHAPTER 125.

An Act to authorize the Municipality of Barrington to borrow money for Railway Damages and prescribing the manner of assessing the same.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Power to borrow.
2. Money, how secured.
3. Debentures.

SECTION.

4. Interest, how paid.
5. Sinking fund.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The municipality of Barrington is hereby authorized and empowered to borrow a sum not exceeding six thousand dollars, for the land required and taken by the Halifax and South Western Railway Company, for track and station purposes within the territorial limits of the municipality, said lands, however, not to exceed in extent the area allowed to be taken for railway purposes under the provisions of The Nova Scotia Railway Act. ^{Power to borrow}

2. All moneys so borrowed shall be secured by debentures signed by the warden and countersigned by the clerk of the municipality, and sealed with the seal of the municipality, and shall be a charge upon the property and funds of the municipality and of the ratepayers thereof situate within the said municipality, and shall, when not inconsistent with the provisions of this Act, be subject to the provisions of "The Municipal Debentures Act, 1902," and shall be used for payment of the awards of said ap- ^{Money, how secured.}

praisers for said lands, including cost of appraisalment and for no other purpose.

Debentures.

3. The said debentures shall be issued for sums of one hundred dollars or some multiple thereof, and shall bear interest at a rate not exceeding four and one-half per cent. per annum, and shall be redeemable at a period not exceeding thirty years from the date of issue thereof.

**Interest,
how paid.**

4. The interest shall be paid by the municipal treasurer out of the general revenue of the municipality on presentation of the interest coupons attached to the debentures.

Sinking fund

5. The sum necessary to pay the interest on the said debentures, and also an amount required to provide for a sinking fund, not however to be less than two per cent. of the amount borrowed under the provisions of this Act, shall be included in the estimates for each year while the said debentures are outstanding by the council of the said municipality, and shall be assessed and collected as a part of the annual assessment.

CHAPTER 126.

An Act to enable the Municipality of Barrington to guarantee the Bonds of the Barrington and Cape Island Steam Ferry Company and authorizing such Bonds.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

Preamble.

1. Power to guarantee bonds.
2. Bonds to be a lien on company.

SECTION.

3. Insurance on property of company.
4. Amount to be borrowed.
5. Municipality may assess.

Preamble.

Whereas, the municipal council of the municipality of Barrington, on the 6th day of January, 1905, passed the following resolution :

" *Ordered*, that the municipality guarantee the bonds of the Barrington and Cape Island Steam Ferry Company for a sum not exceeding \$5000.00 ; that the municipality have a first lien on all the property and earnings of said company, and that said company keep their boats and other property at all times insured for a sum sufficient to cover the amount of the bonds ;"

Be it therefore enacted by the Governor, Council, and Assembly, as follows:—

1. The municipal council of the municipality of Barrington is hereby authorized and empowered to guarantee the bonds of the Barrington and Cape Island Steam Ferry Company, to an amount not exceeding in the whole five thousand dollars, and to that end each of said bonds shall have written or printed on the back thereof the words, "Guaranteed by the Municipality of Barrington," and upon such words or endorsement being signed by the warden and clerk of said municipality, each and every such bond shall be and be deemed to be guaranteed by the said municipality, and thereupon, in the event of the said company failing to duly pay either the principal or interest of such or of any of such bonds, shall become and be a charge on the said municipality and upon all the property situate therein to the amount either of principal or interest, as the case may be, which the said company shall have so failed to pay, or in respect to which it shall at any time be in default, in respect to such or any of such bonds. Power to guarantee bonds.

2. Said bonds, when made and issued and so guaranteed, shall, subject to any liens or charges existing at the date of the passing of this Act, be and constitute a lien or charge upon all the real and personal estate, property, plant, revenues, earnings, moneys and assets of the said company, until all principal and interest thereof shall be fully paid, and in the event of said municipality being called upon to pay principal and interest, or either principal or interest, or any part thereof, under such guarantee, the municipality shall stand, *pro tanto*, in the place of the holder or holders of such or of any of such bonds in respect to which it has been so called upon, and in addition to any other remedy it may have or be entitled to, shall be relegated to all the rights and remedies of the holder or holders of such or of any of such bonds. Bonds to be a lien on company.

3. It shall be competent and lawful for the said company to enter into a contract or agreement with said municipality respecting such bonds and for securing the municipality in respect to such guarantee, and as to the insuring and keeping insured by the company of the boats and other property of the company, to cover the amount of such bonds or ensure the municipality in respect to such guarantee, and in the event of its being required by such agreement that the company shall give a mortgage to secure the municipality against or in respect to the municipality's Insurance on property of company.

liability incurred in regard to said bonds, it shall be lawful for the company to make and deliver a mortgage to a trustee or otherwise, of all or any of its property, for that purpose, as may be provided or stipulated in such agreement, but all the proceeds of such insurance shall be applied towards meeting the liability of the municipality incurred in such guarantee or for such amount as may then be due.

Amount to
be borrowed.

4. The said company is authorized to borrow said sum, not exceeding in the whole five thousand dollars, and to make and issue its bonds therefor to secure the same, to be for sums of one hundred dollars each, or for any multiple of one hundred dollars, bearing interest at such rate not exceeding five per cent., and to mature or be redeemable at such period or periods not exceeding thirty years, as may be fixed by said agreement, or as the said company may determine, such bonds to be subject to the provisions of the Municipal Debentures Act and amendments, as far as the same shall be applicable and not inconsistent with this Act or with such agreement.

Municipality
may assess.

5. Any sums that the said municipality shall be called upon to pay, either as principal or interest on said or on any of said bonds, shall be assessed and collected in the same manner and with the same remedies as ordinary rates and taxes; but this is without prejudice to any other remedy the municipality may have or be entitled to in respect thereto either under this Act or otherwise.

CHAPTER 127.

An Act to enable the Municipality of Victoria to exempt the North River Lumber Company from taxation.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

Preamble.

1. Tax exemption.

SECTION.

2. Exemption, how withdrawn.

Preamble.

Whereas, the municipal council of the municipality of Victoria County has agreed to exempt the real and personal property of the North River Lumber Company, operating timber, lumber, pulp or paper business, from taxation for all local and municipal purposes for the period of twenty years from the date of the passing of this Act:

Therefore, be it enacted by the Governor, Council, and Assembly, as follows:—

1. All the real and personal property of the North River Lumber Company, operating a timber, lumber, pulp or paper business, and situated in the municipality of the county of Victoria, is and shall be exempted from taxation for all local and municipal purposes other than rates levied for the support of public schools within the said municipality for the period of twenty years from the date of the passing of this Act. Tax exemption.
2. Notwithstanding anything in this Act, the municipal council of the said municipality may withdraw the exemption upon resolution being passed by said council. Exemption, how withdrawn.

CHAPTER 128.

An Act to enable the Trustees of School Section Number One, Baddeck, in the County of Victoria, to borrow money.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

- Preamble.
1. Power to borrow.
2. Debentures.

SECTION.

3. Debentures, how signed.
5. Debentures Act to apply.

Whereas, at a public meeting of the ratepayers of school section No. 1, Baddeck, the trustees were authorized to borrow the sum of four thousand dollars, to enlarge and renovate the present school building; Preamble.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The trustees of Baddeck school section, No. 1, in the county of Victoria, are hereby authorized and empowered to borrow on the credit of the said school section and the property of the ratepayers therein, a sum not exceeding four thousand dollars, for the purpose of enlarging and renovating the present school building, such sum to be raised by the issue of debentures under the authority of the trustees of such section. Power to borrow.
2. Such debentures shall be issued in the form in the schedule for one hundred and sixty dollars each, shall be Debentures.

numbered consecutively, shall be redeemable one in each year until paid, shall bear interest at a rate not exceeding six per cent. payable half yearly, and when so issued shall be a charge upon all the property ratable for school purposes for said school section.

Debentures,
how signed.

3. The debentures hereby authorized, shall be signed by the trustees and countersigned by the secretary, and shall be in the form of schedule to this Act.

4. The amount annually required for the payment of the debentures issued under the authority of this Act, as they respectively mature and the interest thereon, shall be added to the amount required for the support and maintenance of the public school in said section during each year and the same shall be rated and collected at the time, in the same manner and with the same remedies as the sectional school rates and taxes.

Debentures Act
to apply.

5. The provisions of the Municipal Debentures Act, 1902, and amendments thereto, shall apply to the loan authorized by this Act, where not inconsistent with the provisions of this Act.

SCHEDULE.

Debenture	Transferable.
No.....	\$

(Issued under the authority of chapter 128 of the Acts of the Legislature of Nova Scotia for the year 1905.)

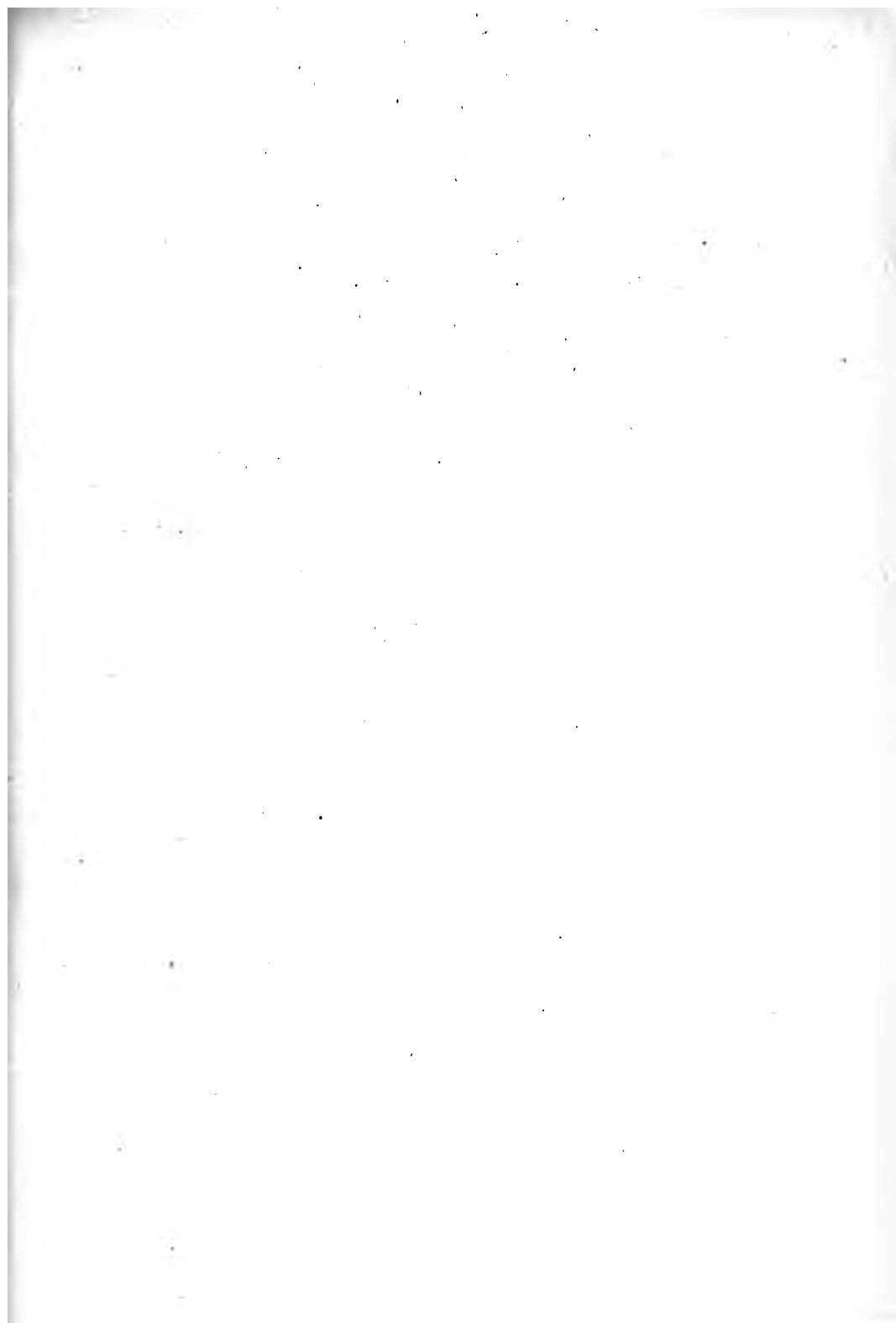
School section No. 1, Baddeck, Victoria County, will pay to the order of..... at the office of the secretary of trustees, in and for the said school section,..... dollars, in..... years from this date, with interest at the rate of six per centum per annum, payable half yearly as per interest coupons hereby annexed.

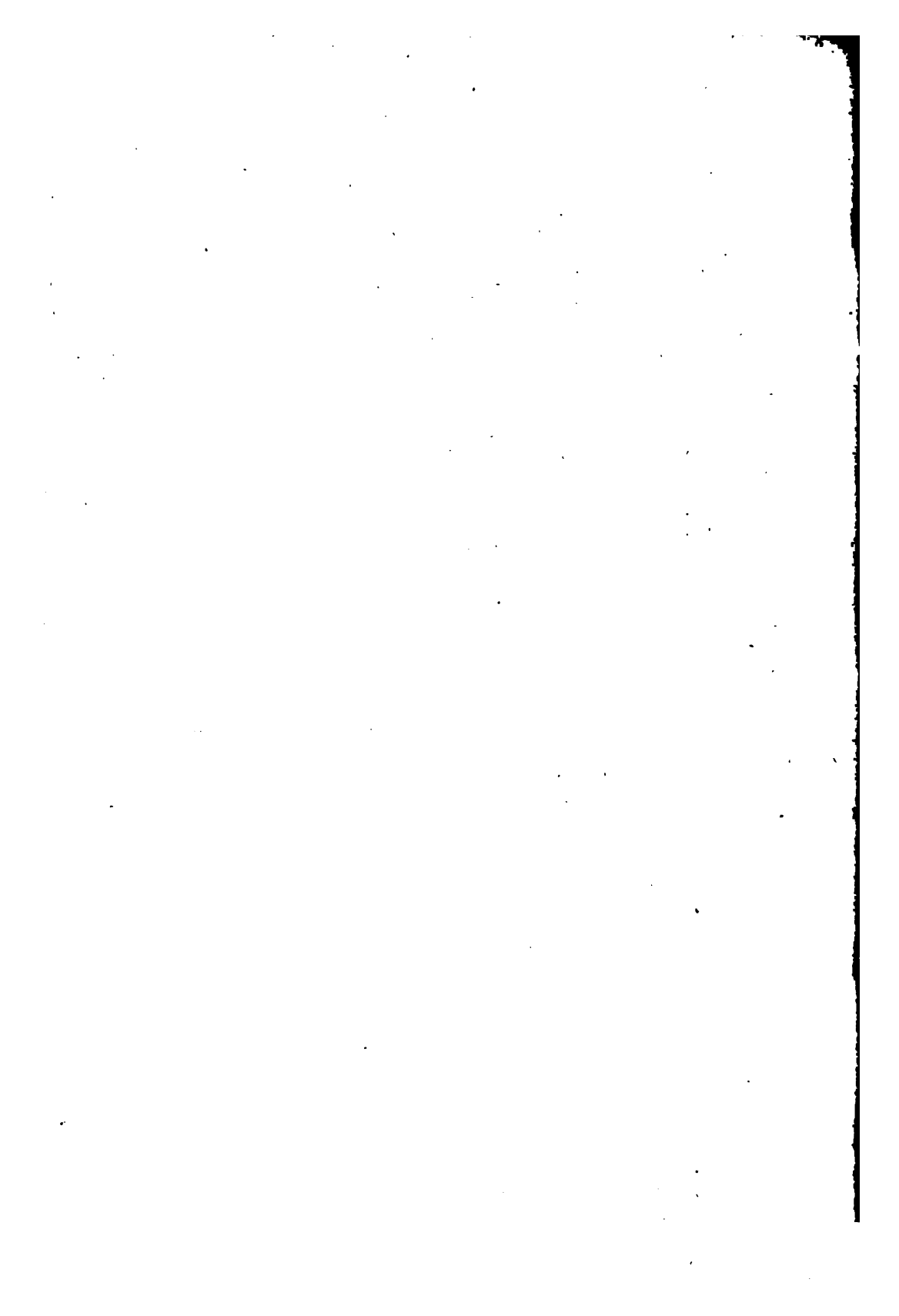
Dated at Baddeck, 1905.

L. S.

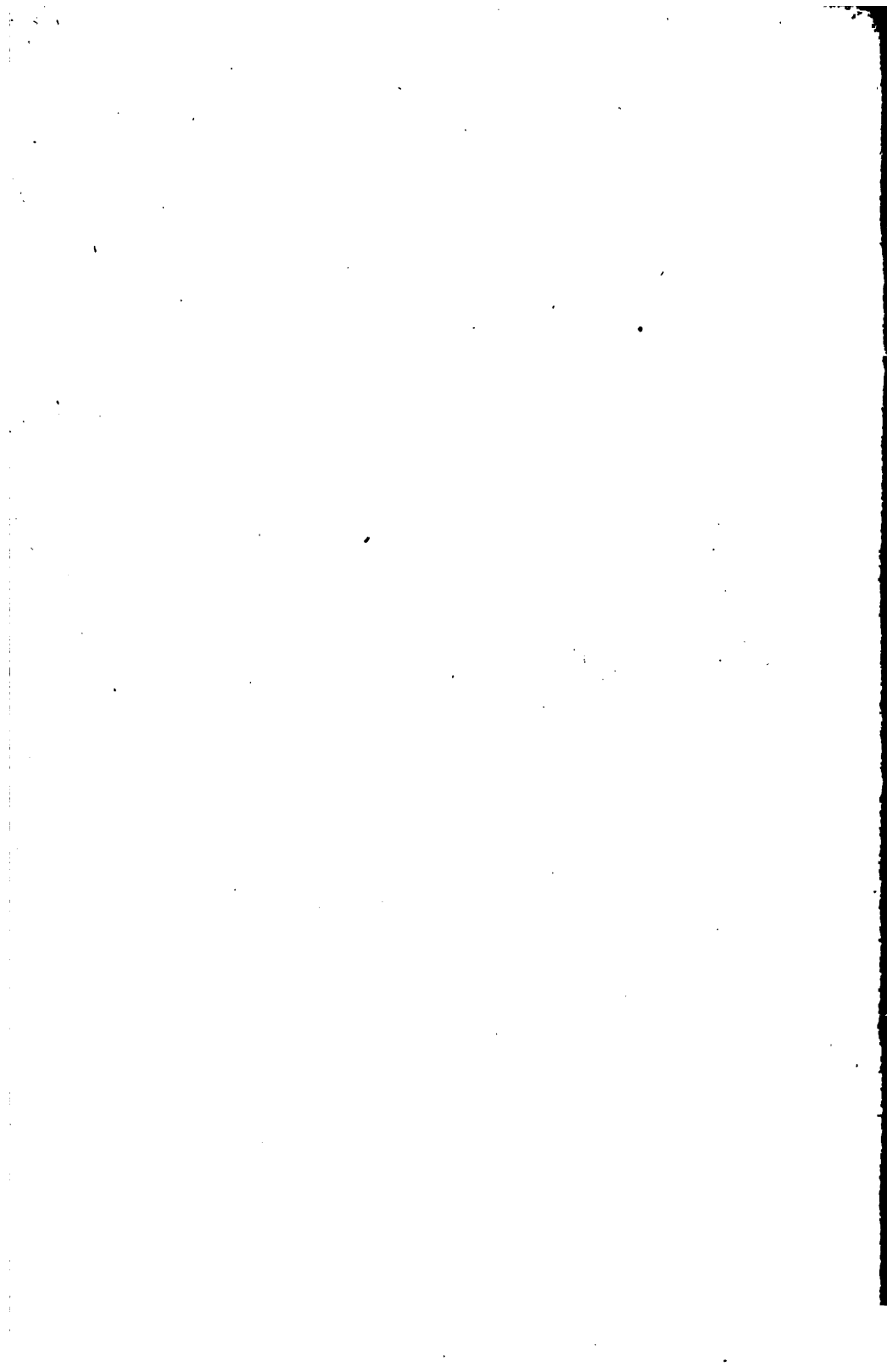
} Trustees.

Secretary.





PRIVATE ACTS.



CHAPTER 129.

An Act relating to the Nova Scotia Eastern Railway.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Charter extended.
2. Contract extended by Gov.-in-Council.

SECTION.

3. Power to grant new charter.
4. Power to make new contract.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Notwithstanding any provision of chapter 130 of the Acts of 1901, chapter 136 of the Acts of 1902, chapter 213 of the Acts of 1903, or chapter 138 of the Acts of 1903-4, being Acts relating to Nova Scotia Eastern Railway Company, Limited, the body corporate known as The Nova Scotia Eastern Railway Company, Limited, is continued with all its rights, franchises, powers and privileges, until the first day of June, A. D., 1905, and for such further period as the Governor-in-Council directs, but not exceeding one month from the said first day of June, A. D., 1905. ^{Charter extended.}

2. The Governor-in-Council is authorized and empowered, upon sufficient cause shewn, to extend the time for filing plans, commencing the construction of and completing the Nova Scotia Eastern Railway, as fixed by the contract entered by the Nova Scotia Eastern Railway Company, Limited, for the construction and operation of said railway, dated the fourth day of February, A. D., 1903, and confirmed by chapter 1 of the Acts of 1903, for such period or periods as may be deemed expedient, notwithstanding the non-compliance by the said company with the requirements of said contract in respect to filing plans and commencing construction. ^{Contract extended by Gov.-in-Council.}

3. In case the Nova Scotia Eastern Railway Company, Limited, fails to comply with the provisions of its Act of Incorporation and amendments thereto, and with the terms, conditions and covenants contained in said contract, within the extension or extensions of time granted by the next two preceding sections, and satisfactory evidence is furnished by any persons, not incorporated in Nova Scotia, that they are financially in a position to construct and operate the railway proposed to be constructed and operated by the Nova Scotia Eastern Railway Company, Limited, and are prepared to enter into a contract for such con- ^{Power to grant new charter.}

struction and operation, the Governor-in-Council may grant a charter to such persons incorporating them under such name as is deemed fitting, and conferring upon the corporation so created the rights, franchises, powers and privileges conferred upon The Nova Scotia Eastern Railway Company, Limited, by the Legislature of Nova Scotia, with such modifications and additions as are deemed expedient, and such charter from and after the publication thereof in the *Royal Gazette*, shall have the same effect as if it were an Act of the Legislature of the Province.

Power to make
new contract.

4. The Governor-in-Council may authorize a contract to be made with the corporation so created, for the construction and operation of said railway in the terms of the said contract with The Nova Scotia Eastern Railway Company, Limited, with such modification and additions as are deemed expedient.

CHAPTER 130.

An Act respecting the sale of Property of the Midland Railway Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

Preamble.

1. Power to convey property.

SECTION.

2. When company shall cease to do business.
3. Power granted to build railway.

Preamble.

Whereas, the Midland Railway Company, Limited, has constructed its line of railway from Windsor, in the county of Hants, to Truro, in the county of Colchester, and owns the said railway and certain franchises, equipment and other property in the province of Nova Scotia;

And whereas, the shareholders of the said Midland Railway Company, Limited, have duly authorized a sale of its entire undertaking, railway, property, assets, rights, privileges and franchises, to the Dominion Atlantic Railway Company;

And whereas, the Dominion Atlantic Railway Company has agreed to issue and deliver to the Midland Railway Company, Limited, certain debenture stock as the consideration for the sale aforesaid;

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The said Midland Railway Company, Limited, is authorized and empowered to transfer and convey its entire undertaking and all or any part of its railway, property, assets, rights, privileges and franchises to the Dominion Atlantic Railway Company, and to acquire, hold, sell, pledge and dispose of the debenture stock so to be issued by the Dominion Atlantic Railway Company to the Midland Railway Company, Limited, as a consideration for the sale and transfer of its undertaking and property.

Power to convey property.

2. After the conveyance of its said undertaking, railway, franchises, equipment and property by the Midland Railway Company, Limited, to the Dominion Atlantic Railway Company hereby authorized, the Midland Railway Company, Limited, shall not carry on any business as a railway company and shall not exercise its corporate powers or make use of its corporate name for any purpose whatever, except for the purpose of enforcing and collecting any claims which it may have against the Dominion government in respect of claims for subsidy, and, as soon as the conveyances, assignments, transfers and releases necessary or proper to carry into effect the proposed sale to the Dominion Atlantic Railway Company, have been duly made, done and executed by it, and the said claims for subsidies or bonuses have been enforced and collected, the said Midland Railway Company, Limited, shall be wound up under The Winding Up Act of the province of Nova Scotia.

When company shall cease to do business.

3. The Dominion Atlantic Railway Company is empowered to construct a line of railway from Truro to the shores of Northumberland Strait along such route as the Governor-in-Council shall approve.

Power granted to build railway.

CHAPTER 131.

An Act to amend Chapter 132, Acts of 1902, entitled, "An Act to incorporate the Cape Breton Northern Railway Company, Limited."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section 39 amended.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 39
amended.

1. Section 39 of chapter 132 of the Acts of 1902, entitled, "An Act to incorporate the Cape Breton Northern Railway Company, Limited," is amended by striking out the word "three" in line three, and inserting in lieu thereof the word "six."

CHAPTER 132.

An Act to amend Chapter 110, Acts of 1895, entitled, "An Act to incorporate the Cape Breton Coal, Iron and Railway Company, Limited, and the Acts in amendment thereof."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 15 amended.
2. Mortgage confirmed.

SECTION.

3. Stock valid.
4. Deed of trust binding.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 15
amended.

1. Section 15 of chapter 110 of the Acts of 1895, is amended by adding after the word "trust," in the thirty-seventh line of said section, the words "which purports to be covered by said mortgage or deed of trust."

Mortgage
confirmed.

2. The mortgage of the company, made to the Guardian Trust Company of New York, as trustee, and bearing date the first day of May, 1903, and recorded in the office of the commissioner of mines for the province of Nova Scotia, at Halifax, in said province, and the coupon bonds secured by said mortgage, are hereby confirmed and declared to be

binding as in said mortgage expressed, and as fully as if the same were set out herein, and shall be, subject to the provisions of chapter 171, Revised Statutes, 1900, and amendments thereto, a first lien upon the property of the company, at present owned and possessed and hereafter acquired by the said company.

3. The stock of the said company heretofore issued, is ^{Stock valid.} hereby declared to be validly issued, and where issued as fully paid stock to be fully paid up stock.

4. The deed of trust dated the 7th day of March, 1903 ^{Deed of trust binding.} made between the said company of the first part, and the Royal Trust Company, the trustee, of the second part, and recorded in the said office of the said commissioner and the bonds secured or to be secured thereby, are hereby confirmed and said bonds are hereby declared to be binding as in said deed expressed and as fully as if the same were set out herein and shall be subject to the provisions of chapter 171, Revised Statutes, 1900, and amendments thereto, a first lien upon the property at present owned and possessed or hereafter acquired by the said Cape Breton Coal, Iron and Railway Company, Limited.

CHAPTER 133.

An Act to amend Chapter 133 Acts of 1902, entitled, An Act to incorporate the Nova Scotia Northern Railway Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 1 amended.
2. Sub-section (a), section 2, added to.

SECTION.

3. Line approved by Gov.-in-Council.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Section 1 of chapter 133 of the Acts of 1902, is here- ^{Section 1 amended.} by amended by inserting after the word "broker" in the 3rd line thereof, the words "Thomas Drummond, George E. Drummond, Edgar MacDougall, all of Montreal, capitalists; Nathaniel Curry, of Amherst, Nova Scotia, merchant; and G. Fred. Pearson, of Halifax, Nova Scotia, barrister-at-law."

Sub-section (a),
section 2,
added to.

2. Section 2, sub-section (a) of said chapter is hereby amended by adding thereto the following words: "Also from a point on the line of the Intercolonial Railway between Truro and Folly River to a point on the Bay of Fundy, at or near Parrsboro, in the County of Cumberland, and from a point on the Intercolonial Railway, at or near Truro, to a point on the Northumberland Strait.

Line approved
by Gov.-in-
Council.

3. The said company shall not have power to build the line from a point on the line of the Intercolonial Railway between Truro and Folly River to a point on the Bay of Fundy, at or near Parrsboro, in the county of Cumberland until said line is approved by the Governor-in-Council.

CHAPTER 134.

An Act to incorporate the British American Coal and Railway Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. General powers.
4. Capital.
5. Aliens.
6. May do certain business outside the Province.
7. Limited liability.
8. Provisional directors.
9. Annual general meeting.
10. Qualification of directors.
11. Shares of other corporations.
12. Agreement.
13. Paid up stock.
14. Bonds and Debentures.

SECTION.

15. By-laws.
16. Power to construct roads.
17. Negotiable papers.
18. When company shall go into operation.
19. Power to accept grants.
20. Who may vote at meetings.
21. Disqualification of directors.
22. Expropriation.
23. Petition served on owner of land.
24. Expenses, how paid.
25. Arbitrators.
26. Payment in court in certain cases.
27. Resident agent.
28. When Act shall cease.
29. Head office.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Incorporation.

1. Joseph A. Gillis of Sydney, Nova Scotia; Michael Edwin Gillis of Irish Cove, Cape Breton; Neil J. McDonald of Cambridge, Massachusetts; Val. B. Baggot and George Byale, both of New York City, United States, and such other persons as they may in writing associate with them, their successors, associates and assigns, and such other persons as may become share or stockholders in the company hereby created, are constituted a body corporate by the name of the "British American Coal and Railway Company, Limited," hereinafter called the company.

2. The objects of the company shall be, and the company ^{Objects.} is empowered and authorized as follows:

(a) To mine, quarry, work, mill, and prepare for sale by any process, and to carry, sell and deal in coal, coke, gas, ironstone, iron ores, copper and copper ores, manganese, limestone and other minerals, clays and mineral products, and to smelt iron ores or other metallic substances, and to manufacture iron, steel and any other products therefrom, and generally to carry on the trades of mine and coal owners, ironmasters, founders, smelters of metals, quarrymen, ore and metal dealers, and to transport on land and water, from and to places in the province of Nova Scotia, freight and passengers.

(b) To purchase or acquire any interest in, and to hold, use or occupy any lands, lands covered with water, coal or other mines, buildings, mining and other rights, easements or privileges, and the company may sell and convey the same by deed or deeds with the usual covenants.

(c) To let or sublet for building, mining or any other purpose any property, and to give and grant any rights, licenses, easements, or privileges.

(d) For the purposes of the company only to construct, purchase, alter, maintain, equip, or to contribute to the purchase, construction, alteration, maintenance or equipment of any railway, tramway, wire-rope tramway, canal, wharf, bridge, pier, tunnel, pipe-line, road, building, tank or other work, device, contrivance or construction, calculated to afford any facility in carrying on or extending the business of the company, and to operate such railways, wire-rope tramways, and other works, by steam, electricity or other motive power, and to carry freight and passengers on railways, tramways or other conveyances of the company, and to charge and collect tolls and fares for the transport of freight and passengers upon said railways, tramways and upon any vessel or other conveyance operated by the company, and to carry on and transact the business of an express company, and for that purpose to do and perform all such acts, matters and things, to enter into all such contracts and agreements, and generally to carry on and transact all such business of every kind and nature and description as are usually done, performed, entered into, carried on and transacted by express companies, and to contract with any railway company, steamboat company, express company, or other corporation or with any person or persons

for the carriage or transport of any goods, chattels, merchandise, money, packages or parcels that may be entrusted to the said company for conveyance from one place to another, and to contract with any other express company for the carrying on and transacting of any business as aforesaid.

(e) To purchase, hire, construct or manufacture for use in connection with any business of the company, any ships, barges, rolling stock, machinery, plant or other vehicle or contrivance, and to operate the same by steam, electricity or any other motive power.

(f) To take, acquire, hold, purchase, sell, convey, mortgage, cultivate, use, utilize and deal in, real estate and personal property and all easements and interests therein in the province of Nova Scotia, to survey all such real estate, divide the same into lots, lay out, build and construct streets, sidewalks, roadways, canals, sewers, water-works and to construct all things necessary for the improvement of said property and real estate.

(g) To purchase, build, erect, maintain, hold, occupy, sell, mortgage, lease, let or otherwise dispose of, dwelling houses and their appurtenances, storehouses, stores, warehouses, and other buildings, and to supply and furnish the same with appropriate furniture, fixtures and other necessary or useful fittings and materials.

(h) To acquire any exclusive right in letters patent, franchises or patent rights or privileges or lands, or lands covered with water, in connection with the business of the company.

(i) To farm any land held by the company, and for that purpose to buy, sell, and deal in any farming stock or produce.

(j) To construct and maintain telegraphs and telephones and to carry on the business of a telegraph and telephone company on the line of their works and railways, and for the purposes of the company only to manufacture, generate, use, and use gas and electricity of every kind and description.

(k) To acquire the good will of any business within the objects of the company, and any lands, privileges, rights and contracts appertaining to the same, and in connection with any such purchase to undertake the liabilities of any

company, association, partnership or person, provided, however, that nothing in this Act or in the charter or franchises of any company that may be acquired by this company shall authorize or empower the company to carry on a general business in dry goods, groceries and other general merchandise.

(l) To sell or otherwise dispose of the whole or any branch or part of the business or property of the company to any person or to any company carrying on or formed for the purpose of carrying on, any objects similar to those of the company hereby incorporated.

(m) To supply from time to time any part of the funds, stock, whether common or preferred, bonds, debentures and other obligations of the company, for any purpose of the company.

(n) To purchase, lease or otherwise acquire, hold and enjoy all the property, franchises, rights and privileges held or enjoyed by any person or by any other company or companies carrying on any business similar to that which this company is authorized to carry on under the provisions of its charter, said property, rights, franchises and privileges when purchased, leased or otherwise acquired, as above stated, shall be owned and enjoyed by this company as fully and effectually as the same were theretofore held and enjoyed by the person or company from which the same were so purchased, leased or otherwise acquired, subject to all existing valid liens and charges, if any.

3. The said company shall have power and authority to do any matter or thing necessary to carry out any of the above objects or incidental or conducive to the same, subject, however, to the laws of the Province of Nova Scotia. General powers.

4. (1) The capital stock of the said company shall be one million dollars divided into ten thousand shares of one hundred dollars each. Capital.

(2) The company may issue part of its capital stock as preferred stock, and may convert common stock into preferred stock, provided, however, that the preferred stock shall not exceed fifty per cent. of the issued capital stock of the company. Such preferred stock shall be issued upon such terms as to priority or preference and amount of dividend to be paid thereon and times of payment thereof, as the company determine.

Aliens.

5 Aliens, whether resident within the province or elsewhere, as well as British subjects, may be shareholders, directors or officers of the company, and shall be entitled equally with the British subjects to all rights as such shareholders, directors or officers, and any aliens or foreign or domestic corporations who are or who may be holders of any bonds stock or debentures of the said company, shall for all purposes have the same rights, privileges and powers in respect thereof as if they were British subjects

May do certain business outside the Province.

6. The company is authorized to transact any business out of the province, necessary or incidental to any of the purposes for which the company is incorporated.

Limited liability.

7. No member or director of the company shall be liable for the debts or liabilities of the company to a greater extent or amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself personally liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable to the amount unpaid on shares so held by him, for any debt, or on any contract of the company entered into before the date of such transfer so as any action in respect thereof shall be brought within six months after such transfer.

Provisional directors.

8. The persons named in the first section of this Act and such persons as they in writing associate with them, are constituted provisional directors of the company. The provisional directors may hold office as such until the first annual meeting of the company, which shall be called at such time and place and upon such reasonable notice as the provisional directors or a majority of them shall determine, and until such meeting said provisional directors shall have power to open a stock subscription list and to assign and allot stock of said company and have and exercise all the powers of ordinary directors of the company under the provisions of this Act. Vacancies caused by death, resignation or otherwise shall be filled by the other directors until the next annual meeting. The number of the directors of the company shall not be less than seven or more than fifteen.

Annual general meeting.

9. The annual general meeting of the shareholders and all other meetings of shareholders shall be held at such time and place, within or without the province, as may be fixed

by the by-laws of the company, and notices of such meetings shall be given in such manner and at such times as shall be fixed by the by-laws, and in case at any time there shall be no by-law regulating such matters, then the directors shall fix the time and place of such meetings, and the manner in which notices of such meetings shall be given.

10. No person shall be elected a director of the company unless he is the holder in his own right or as a trustee for any corporation of at least twenty-five shares in the company and has paid up all calls made thereon. The transfer of shares of the company shall be valid and effectual only from the time such transfer is made and entered in the books of the company.

Qualification of directors.

11. The company may subscribe for, take, hold and dispose of, shares in any corporation organized or to be organized, and this company is authorized through such agents as the board of directors may appoint, to vote as a shareholder in relation to the shares so held by the company in such corporation and the said corporation is hereby empowered to accept such agent's vote and recognize the same.

Shares of other corporations.

12. It shall be lawful for the company to enter into agreements with other companies, corporate or unincorporate, and individuals, associations or governments, to purchase, lease, operate or acquire coal, iron, copper and other mines, and lines of railway, tram roads, wire-rope tramways, water power privileges, water powers, rolling stock, plant, machinery, and other appurtenances and other property, real and personal, and to build, construct, equip and complete the whole or any part of the company's works, and to receive by way of gift or bonus any lands, sums of money, securities, debentures and real and personal property on such terms as may be mutually agreed upon; and the company is hereby authorized to issue upon such terms as the directors may deem for the interest of the company, fully paid up shares of the company, either common or preferred, or both, in settlement of or representing the whole or part of the cost or value of such purchase.

Agreements.

13. The company may issue as fully paid up stock, both common and preferred shares of the company, and may upon such terms as the directors deem for the interest of the company, pay and allot such shares in payment of right-of-way, plant, rolling stock, mining or smelting plant or

Paid up stock.

materials of any kind; and also may on such terms as the directors deem for the interest of the company, pay and allot such fully paid up shares in payment for services of or work done by contractors, engineers, solicitors and other persons who may have been or may be engaged in promoting the undertaking or work of the company; and may upon such terms as the directors may deem for the interests of the company, allot and pay over such fully paid up shares in whole or in partial payments for the purchase, lease or other acquisition of coal, iron, copper, and other mines or mining areas or leases thereof and of the railways, rolling stock, wharves, lands, ships and other property, real, personal or mixed which the company is hereby authorized to acquire, construct, operate or own, or in payment of the shares, bonds or other obligations of other companies which the company is hereby authorized to acquire. The issue, allotment or payment of such fully paid stock by the directors of the said company shall be binding and shall make the same fully paid up stock, and the same shall not be subject to any calls for any purposes whatsoever; and the holders of said stock allotted or paid to them as aforesaid shall not be subject to any personal liability whatsoever in respect thereof.

Bonds and
debentures

14. (1) For any or all of the purposes of the company the company is empowered from time to time under the authority of a majority vote of those shares which are represented in person or by proxy at a meeting called for that purpose, or at any annual meeting of the company, to issue at one or more times or in one or more series, its bonds or debentures under its seal and signed by its president or other authorized officer, and countersigned by its treasurer or secretary; and such bonds and debentures may be made payable at such times and in such places in Nova Scotia or elsewhere, and bear interest at such rate per annum, and such bonds and debentures may be subject to such conditions as the company may at such meeting decide.

(2) Such bonds or debentures shall not be issued for an amount exceeding the issued capital stock of the company.

(3) The directors of the company may pledge or sell upon the best terms they may be able to obtain, any such bonds or debentures.

(4) The company may from time to time, secure any of the bonds or debentures of the company by a mortgage or deed of trust of all or any portion of its property, whether

real, personal or mixed, and including any revenue or tolls, any stocks, shares or securities of other companies, powers, rights and franchises (including the franchise of being a corporation) whether owned or enjoyed by it at the date of such mortgage or deed of trust, or thereafter acquired. And the legal title to all property acquired subsequently to the date of said mortgage or deed of trust, which purports to be covered by said mortgage or deed of trust, shall vest in said trustee or trustees for the bondholders or debenture holders as soon as the same is acquired or owned by the said company. Any foreign corporation or trust company may act as trustee under such mortgage or deed of trust.

(5) The company may, in and by any such mortgage or deed of trust, confer upon the holders of such bonds or debentures or the trustee or trustees under such mortgage or deed of trust for their benefit, such powers, rights and remedies as may be deemed desirable in order to enable the holders of said bonds or debentures or such trustee or trustees in their behalf, to obtain the possession and enjoyment of and title to such property or to obtain the value thereof by sale or otherwise, in case of default by the company in the performance of the conditions of said mortgage or deed of trust, and the holders of such bonds or debentures or any person claiming by, through or under them, or any purchasers from said trustee or trustees in case they shall take possession of said property under the provisions of such mortgage or deed of trust, may organize themselves into a corporation in the manner provided in this Act for the organization of the company; and the provisions of this Act or any Act in addition hereto or in amendment hereof shall apply to such corporation and its members, and such corporation shall be entitled to have and enjoy the powers, privileges and franchises conferred upon the company by this Act or any Act in addition thereto or in amendment thereof.

(6) The holders of said bonds or debentures, whether they shall organize themselves into a corporation as herein provided or not, or said trustee or trustees or any persons or corporations claiming by, through or under them, shall in case they take possession of said property under the provisions of said mortgage or deed of trust, be entitled to hold, own and enjoy the same as fully and effectually as did the company theretofore, and they shall be entitled to hold and enjoy all the powers, rights, privileges, franchises and exemptions in reference thereto which were held and enjoyed by the company whether under letters patent or lease

from or contract with the crown, or under this Act or any Act in amendment hereof, or any special or general law in force in the province of Nova Scotia or otherwise.

(7) The company may in and by said mortgage or deed of trust provide for a periodical payment to said trustee or trustees of such sum as they may determine, which sum, with all accumulations thereon, shall constitute a sinking fund, to be applied in such manner as shall be stipulated in said mortgage or deed of trust.

By-laws.

15. The company shall have power to make by-laws not inconsistent with this Act or the laws of the province, and also shall have power to repeal and modify the same, and the directors may from time to time, as circumstances require, make, repeal, amend or re-enact by-laws, but such by-laws, and every repeal or amendment or re-enactment thereof, unless in the meantime confirmed by a general meeting of the company called for the purpose, shall only have force until the next annual meeting of the company, and in default of confirmation thereat, shall at and from that time cease to have any force, but all such by-laws, and every repeal, amendment or re-enactment thereof, shall be subject to the approval of the Governor-in-Council.

Power to
construct roads.

16. The company may, subject to the provisions of the Railway Act, make or construct roads, railroads and tramroads, over, under and across any road, railroad, or tramroad, harbor, cove, river, brook or stream, subject, nevertheless, in such cases to regulations to be made by the Governor-in-Council to ensure the safety of the inhabitants and their property; provided, however, that nothing herein contained shall be construed to authorize or empower the company to interrupt, hinder or prevent the navigation of any navigable river, or other navigable water.

Negotiable
paper.

17. The company shall have power to draw or accept or indorse bills of exchange or promissory notes on behalf of and for the purposes of the company.

When company
shall go into
operation.

18. This company shall not go into operation until twenty-five per cent. of its capital stock is subscribed and twenty-five per cent. of such subscription is paid up, but in case there shall be conveyed or transferred to the company, or to some person or corporation in trust for the company, lands, mines, mining rights and privileges, or any of them, or other property, the bona fide amount of the purchase price of such lands, mines, mining rights or privileges, or

other property, shall be deducted from the amount of paid up subscriptions necessary to enable the company to go into operation, or if the total amount of the purchase price of the said lands, mines, mining rights and privileges, or other property, is equal to or exceeds the amount required to be paid up in subscriptions or shares, then the company may go into operation.

19. The company, may take, hold, receive and enjoy all grants, donations or conveyances of land or other property made to the company, and may sell, lease, mortgage, exchange or otherwise dispose of the same, as may be deemed advisable for the purpose of aiding in the construction of the railways and works of the company, or any other objects for which the company is incorporated in Nova Scotia, provided that any property so acquired, or the proceeds thereof, shall be used for the purposes of such grants, donations or conveyances only, and for no other purpose. Power to accept grants.

20. At all meetings of the company each shareholder shall be entitled to one vote for each share then held by him, such vote may be given in person or by proxy, the holder of such proxy being himself a shareholder; but no shareholder shall be entitled, either in person or by proxy, to vote at any meeting until he shall have paid all calls upon shares held by him. Who may vote at meetings.

21. No director shall be disqualified by his office from contracting with the company, nor shall any such contract or arrangement entered into by or on behalf of the company with any director of any company or partnership of or in which any director shall be a member or otherwise interested be voided, nor shall any director so contracting or being such member, or so interested, be liable to account to this company for any profit realized by such contract or agreement by reason only of such director holding that office, or of the fiduciary relation thereby established, but no director shall vote in respect of any such contract or arrangement, and the nature of his interest shall be disclosed by him at the meeting of the board at which the contract or arrangement is determined on if his interest then exist, or in any other case at the first meeting of the board after the acquisition of his interest. Disqualification of directors.

22. Whenever it is necessary that the company should be invested with lands for the purpose of sinking shafts for mining or quarrying or upon which to erect rolling mills, milling and smelting works, or for the purpose of construct- Expropriation.

ing docks, wharves, piers, roads, canals, pipe-lines, railways, tramways, reservoirs, dams, tanks, water-ways, flumes, water works and other works of the company, or when it shall be necessary for any purposes of the company that it should be invested with lakes, streame, or other lands covered with water, and no agreement can be made for the purchase of such lands or lands covered with water, it shall be lawful for the company or its directors to apply by petition with a plan annexed, to the Governor-in-Council, showing the situation of the lands required for the purposes of the company, a description thereof by metes and bounds, the names of the owners or occupiers thereof, and any incumbrances thereon that may be known to the company, and the amount which the company has offered to pay the person or persons owning or occupying the same, and praying for the expropriation thereof.

Petition served
on owner of
land.

23. Upon the presentation of such petition the Provincial Secretary shall forthwith, at the expense of the company, cause a copy thereof to be served upon the owner or occupier of the lands mentioned in such petition, and along with such copy the Provincial Secretary shall also cause to be served upon such owner or occupier a notice that upon a day (to be named therein), which shall not be earlier than twenty days after the service of such notice and copy, a commissioner to be appointed by the Governor-in-Council, will at a place and time to be named in such notice, hear any and all objections to such expropriation. Upon the day and at the place so named said commissioner shall hear all the parties interested, and report the evidence to the Governor-in-Council, and the Governor-in-Council, if satisfied that the property sought to be expropriated is actually required for the carrying on of the works of the company, and is not more than is reasonably necessary therefor, and is otherwise just and reasonable, shall thereupon by order-in-council declare the lands sought to be expropriated, or any portion thereof, to be vested in said company in fee simple free from incumbrances, subject to the payment of damages as hereinafter provided for.

Expenses,
how paid.

24. The services of said commissioner shall be paid for by the company at such reasonable rate as shall be fixed by the Governor-in-Council, and such company may be required to deposit a sum not exceeding one hundred dollars to reimburse any expenditure made by the Governor-in-Council under said petition before such commissioner shall be appointed for the purpose hereinbefore stated, and in case the application is refused the Governor-in-Council may

order that a reasonable sum be allowed to defray expenses of the owner of the property sought to be expropriated. Within thirty days after the passing of such order-in-council, the company may give notice to the owner or occupier of the property sought to be expropriated, requiring him to name one arbitrator, and the company shall also in such notice name one arbitrator, for the purpose of assessing what damages shall be paid for the property so appropriated, and in case such owner or occupier refuses or fails to appoint an arbitrator within ten days thereafter, a judge of the Supreme Court, or the judge of the county court for the district in which the land appropriated lies, shall appoint such arbitrator.

25. The said two arbitrators shall be notified of their appointment by the petitioner or his solicitor or agent, and shall within twenty days thereafter choose a third arbitrator, and in case of their failing to select such third arbitrator within twenty days after notice to them as aforesaid of their said appointment, such third arbitrator shall be appointed by the Governor-in-Council, and such arbitrators shall, without delay, proceed to assess the damages for said property so expropriated. On payment, or as in this Act hereinafter provided, to the owner or occupier of such lands of the damages so assessed, the company shall have a title in fee simple and clear of encumbrance to the property so expropriated. Arbitrators.

26. In case any property so sought to be expropriated is found to be encumbered by mortgage or judgment, or where the title thereto is in dispute, payment of the damages to the prothonotary of the Supreme Court for the county shall have the same effect as payment to the owner or occupier. Where the damages are so paid to the said prothonotary a judge of the Supreme Court or of the county court for the district in which the lands lie, on application of any person interested therein, may order the payment out of the court of said damages to the person or persons shown to be interested therein. In case the company is in any case unable to ascertain the name of the owner of any lands sought to be expropriated under section 23 of this Act, and said lands are unoccupied, such facts shall be stated in the application to the Governor-in-Council provided for in said section 23, and the Governor-in-Council may by order name a person to represent the owners, and such person shall thereupon represent the owners for all purposes under sections 24, 25 and 26 of this Act. The company shall pay the person so appointed such a fee as the Governor- Payment in court in certain cases.

in-Council may fix, and the company shall in such case pay the damages assessed into court, and such payment shall be held a compliance with section 27 of this Act.

Resident agent.

27. The directors shall appoint an agent in the county of Cape Breton, service on whom of all process, notices and other documents shall be held to be sufficient service on the company. The name of such agent shall be filed with the registrar of deeds for the county of Cape Breton, and for the counties in which the business of the company is being carried on, and in case of the death or absence of such agent from the province, and before the appointment of another, service of process, notices and documents may be made by affixing a copy upon some conspicuous building or office of the company in which the business of the company is being carried on, and advertising the same for two weeks in newspapers published in such counties, and if there are no newspapers published in such counties then by advertising the same for two weeks in at least one newspaper published in the city of Halifax.

When act shall cease.

28. This Act shall cease and determine unless the said company shall be organized within two years from the passage hereof and actually engaged in business.

Head office.

29. The head office of the company shall be at Sydney in the county of Cape Breton or such other place within the province of Nova Scotia as the directors may by by-law determine.

CHAPTER 135.

An Act to amend Chapter 146, Acts of 1903-4, entitled, "An Act to incorporate the Davison Tramway Company, Limited."

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Name changed.

SECTION.

2. Liability not affected.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Name changed.

1. The name "Davison Tramway Company, Limited," is hereby changed to "Springfield Railway Company,

Limited," and chapter 146 of the Acts of 1904, is hereby amended accordingly.

2. The change enacted in this Act shall not in any way effect any obligation, debt or liability of the "Davison Tramway Company, Limited," or any claim or right now existing, accruing, accrued or established in favor of the said "Davison Tramway Company, Limited," or any act or thing done under the authority of the Act hereby amended, or any contract or agreement made by or entered into with said "Davison Tramway Company, Limited," or any claim, demand, suit, action, or proceeding at law or in equity, now pending against said company, or which has been instituted by said company, and the same may be enforced or proceeded with against, or by the said corporation under the said name of "Springfield Railway Company, Limited." Liability not affected.

CHAPTER 136.

An Act to incorporate the Gold River Mines and Power Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. Board of directors.
4. Provisional directors.
5. Qualification of directors.
6. When election may be made.
7. Capital.
8. Paid up stock.
9. Aliens.
10. Transfer of shares.
11. Limited liability.
12. Calls.

SECTION.

13. Head office.
14. Annual general meeting.
15. Stocks of other companies.
16. Company may receive grants.
17. By-laws.
18. Bonds and debentures.
19. "Painting" and "affixing."
20. When company may commence operations.
21. When Act shall cease and determine.
22. Limited powers.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Phil. H. Moore of Bridgewater, in the county of Lunenburg, mining engineer; Frank H. Proctor, of Boston, in the State of Massachusetts, United States of America, insurance agent, and Maynard M. Reynolds, of Halifax, in the county of Halifax, barrister-at-law, and such other persons as they associate with themselves or become shareholders in the company, are constituted a body corporate under the name of "Gold River Mines and Power Company, Limited," hereinafter called "the company." Incorporation.

Objects.

2. The objects of the company shall be as follows:—

- (a) To purchase, hold, acquire, lease, sell, and dispose of, mines, mining rights and other rights, easements, and privileges.
- (b) To purchase or acquire any interest in, and to hold, use, work, and occupy any lands, buildings, gold, and other mines, minerals, mining rights, and other rights, easements, and privileges, and to sell, convey, or mortgage the same by deed or deeds, with the usual covenants. To purchase or acquire, construct or aid in or sub-scribe towards the purchasing, acquiring, construction, maintenance or improvement of water works, tanks, reservoirs, dams, water courses, sluices, ditches, aqueducts, and electrical and all other power transmission plant, and also of ways, roads, bridges, tramways, railways, canals and quays and wharves, for the purposes of the company, or for access to and from the works and property of the company, or to connect the same with other lines of communication in or at any port, place, river, or other outlet for traffic, and to work and maintain or control such undertakings, and to provide plant for the proper working and maintenance thereof.
- (c) To mine, quarry, get, work, mill and prepare for sale by any process, gold, and other ores, and all or any other metallic products, and to manufacture therefrom any by-products, and to smelt the ores and other metallic substances, and to manufacture any other products therefrom, and to trade in the products of such mines or manufactures.
- (d) To purchase, acquire any interest in, hold, use, occupy, sell, and convey real estate, mills, machinery, vessels, vehicles propelled by steam, electricity or otherwise, and other property, and to mine, smelt, dress, and in every or any manner, and by every or any process to manufacture the ores, minerals and metallic or other products, and for such purposes to make and execute all necessary and proper works, and to do all necessary and proper acts, and erect and maintain all suitable furnaces, forges, mills,

engines, houses and buildings, and if necessary to acquire any patent privileges, or by assignment, license or otherwise the rights to use any patent invention connected with the purposes aforesaid, and to take or lease or otherwise acquire any lands or other property, and the company may sell and occupy the same, or any part thereof by deed or deeds with the usual covenants.

- (e) To construct and make, purchase, hold or lease, alter and maintain and operate any railroads, tramways or other roads, barges, vessels, ships, and steamers for the transportation of ores, minerals and metallic substances or products in connection with the business of the company.
- (f) To construct, operate, purchase and maintain, or lease, telephone or telegraph lines for the use of the company only, and for the purposes of the company to generate and transmit electricity and electric light and power.
- (g) To let or sublet for building, mining or any other purpose, any property, and to give and grant any rights, licenses, easements or privileges.
- (h) To acquire the good-will of any business within the objects of this company, and any real or personal property, privileges, rights and contracts appertaining to the same, and in connection with any such purchase to undertake the liabilities of any company, association, partnership, or person.
- (i) To sell, lease, or otherwise dispose of, the whole or any branch or part of the business, property or franchise of the company, to any company or companies carrying on or formed for the purpose of carrying out any object similar to any of those of the company hereby incorporated and this company is hereby authorized and empowered to make such sale, lease or disposal of the whole or any branch or part of its business or property only upon the vote of two-thirds of the shares of this company.

- (j) To acquire by original subscription or otherwise, and to hold, sell, mortgage, or otherwise dispose of, shares, stocks, whether common or preferred, debentures, debenture stocks, bonds or other obligations of any company carrying on or formed for carrying on, any trade or business within the objects of this company.

Board of directors.

3. The board of directors shall consist of not less than three and not more than five members of the company, and shall be the governing body of the company, with the usual and ordinary powers of directors, including the right to fill vacancies in the board occurring by death or otherwise, excepting that no person shall be eligible as a director who is not a shareholder. A majority of the board of directors shall form a quorum.

Provisional directors.

4. The persons named in the first section of this Act shall be the first or provisional directors of the company, and shall hold office until the first annual meeting. Such directors shall from among themselves elect a president and appoint a secretary and such other officer as may be deemed necessary, and shall transact such general business of the company as is necessary, and until the first annual meeting shall have power to open a stock subscription list, and to allot stock of the company and have and exercise all the powers of directors of the company under the provisions of this Act. The provisional directors shall call the first general meeting of the company for such place within the province of Nova Scotia and at such time as a majority of them determine.

Qualification of directors.

5. No person shall be elected a director of the company unless he is the holder, either in his own right or as trustee for any corporation, of at least five shares of the company and has paid up all calls made thereon.

When election may be made.

6. If at any time an election is not made or does not take effect at the proper time, the company shall not thereby cease to exist, but such an election may take place at any general meeting of the company duly called for that purpose, and the retiring directors shall continue in office until their successors are elected.

Capital.

7. The capital stock of the company shall be five hundred thousand dollars, divided into twenty thousand shares of twenty-five dollars each.

(2) The company may issue part of its capital stock as preferred stock and may convert common stock into preferred stock, provided, however, that the preferred stock shall not exceed fifty per cent. of the issued stock of the company. Such preferred stock shall be issued upon such terms as to priority or preference as the company determines.

8. The company may issue as fully paid up stock both Paid up stock. common and preferred shares of the company, and may upon such terms as the directors deem for the interests of the company pay and allot such shares in payment for right-of-way, plant, rolling stock or materials of any kind; and also may on such terms as the directors deem for the interests of the company, pay and allot such fully paid up shares in payment for services of, or for work done, by contractors, engineers, solicitors and other persons who may have been or may be engaged in promoting the undertaking or work of the company; and may upon such terms as the directors deem for the interests of the company allot and pay over such fully paid shares in whole or partial payment for the construction, purchase, lease or other acquisition of railway rolling stock, wharves, lands, ships and other property which the company is authorized to acquire, construct, create or own, or in payment of the shares, bonds or other obligations of other companies, which the company is authorized to acquire. The issue, allotment or payment of such fully paid stock by the directors of the company shall be binding upon the company, and shall make the same fully paid up stock, and the same shall not be subject to any calls for any purposes whatsoever; and the holders of such stock, allotted or paid as aforesaid, shall not be subject to any personal liability whatsoever in respect thereof.

9. Aliens, whether resident within the province or else- Aliens. where, as well as British subjects, may be shareholders, directors or officers of the company, and shall be entitled equally with British subjects to all rights as such shareholders, directors or officers, and any alien or foreign or domestic corporations who are or may be holders of any bonds, stock or debentures of said company shall for all purposes have the same rights, privileges and powers in respect thereto as if they were British subjects.

10. The transfer of shares in the company shall be valid Transfer of shares. and effectual for all purposes from the time such transfer is made and entered in the books of the company.

Limited liability. 11. No member or director of the company shall be liable for the debts or liabilities of the company to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable to the amount unpaid on shares so held by him for any debt or any contract of the company entered into before the date of such transfer, so as any action in respect thereof shall be brought within six months after such transfer.

Calls. 12. The directors may from time to time make calls upon the shareholders for such installments upon the shares in the company held by them respectively as they deem necessary, not exceeding, however, ten per centum of the subscribed capital on each call; provided that not less than one month shall intervene between calls, and that one month's notice of each call shall be mailed, postage prepaid, and registered, to each shareholder, addressed to his usual place of residence or business.

Head office. 13. The head office of the company shall be at such place in the province of Nova Scotia as the directors determine until changed by a by-law of the company, and all meetings of the company, except the meetings of the provisional directors and the first general meeting or an adjournment thereof, shall be held in Nova Scotia, at the head office of the company.

Annual general meeting. 14. The annual general meeting of the company shall be held at its head office on the first Wednesday of June in each year, or on such other day as the directors of said company shall from time to time by by-law determine, at such hour and place as the directors may by resolution determine. Written notice of such meeting shall be given by mailing the same, postage prepaid and registered, to the last known address of each stockholder, at least thirty days prior to such meeting. Notice of such meeting shall also be given by advertisement in a newspaper published in the county in which the head office is situate by at least two weeks' insertions next prior to such meeting. Such meeting may be adjourned from time to time as a majority of those present, in person or by proxy, may determine.

15. The company may acquire by subscription or otherwise, stocks, shares, debentures or debenture stocks, or other interests in any company operating or carrying on in Nova Scotia any of the kind of business which the company is hereby authorized to carry on, and may sell or otherwise dispose of the same. Stocks of other companies.

16. It shall be lawful for the company to receive, either by grant from any government, or from any individuals, or corporations, municipal or otherwise, as aid in the construction of such railways and works, any crown lands or any other real or personal estate or property, or any sums of money or debentures, either as gifts by way of bonus, or in payment, and legally dispose of the same, and to alienate the lands and other real or personal property so given or donated for the purposes of the company. Company may receive grants.

17. The company shall have power to make by-laws, By-laws. not inconsistent with this Act or the laws of the province, and also shall have the power to repeal and modify the same and the directors may, from time to time, as circumstances require, repeal, amend or re-enact such by-laws, but such by-laws, and every repeal or amendment or re-enactment thereof, unless in the meantime confirmed by a general meeting of the company, called for the purpose, shall only have force until the next annual meeting of the company, and in default of confirmation thereat shall at and from that time only cease to have any force, but all such by-laws, and every repeal, amendment or re-enactment thereof shall be subject to the approval of the Governor-in-Council.

18. (1) For any or all of the purposes of the company, the company is empowered, from time to time, under the authority of a majority vote of those shares which are represented in person or by proxy, at a meeting called for that purpose, or at any annual meeting of the company, to issue at one or more times, or in one or more series, its bonds or debentures, under its seal, and signed by its president or other authorized officer, and countersigned by its treasurer or secretary; and such bonds or debentures may be made payable at such times and in such places in Nova Scotia or elsewhere, and bear interest at such rate per annum, and such bonds, debentures or preferential stock, may entitle the holder to such priorities and privileges, and may be subject to such conditions as the company may at such meeting decide. Bonds and debentures.

(2) The directors of the company are hereby authorized

to pledge or sell upon the best terms they may be able to obtain any such bonds or debentures.

(3) The company may from time to time secure any of the bonds or debentures of the company by a mortgage or deed of trust of all or any portion of its property, whether real, personal, or mixed, and including any revenue or tolls, railways, ships, stocks, shares, or securities of other companies, powers, rights and franchises (including the franchise of being a corporation), whether owned or enjoyed by it at the date of such mortgage or deed of trust, or thereafter acquired. And the legal title to all property acquired subsequently to the date of said mortgage or deed of trust, which purports to be covered by said mortgage or deed of trust, shall vest in said trustee or trustees for the bondholders or debenture holders as soon as the same is acquired or owned by the said company. Any foreign corporation or trust company may act as trustee under said mortgage or deed of trust.

(4) The company may in and by such mortgage or deed of trust confer upon the holders of such bonds or debentures, or the trustee or trustees under such mortgage or deed of trust for their benefit, such powers, rights, and remedies as may be deemed desirable in order to enable the holders of said bonds or debentures, or such trustee or trustees in their behalf, to obtain the possession and enjoyment of and title to such property, or to obtain the value thereof by sale or otherwise, in case of default by the company in the performance of the condition of said mortgage or deed of trust; and the holders of such bonds or debentures, or any person claiming by, through, or under them or any purchasers from said trustee or trustees in case they shall take possession of said property under the provisions of said mortgage or deed of trust, may organize themselves into a corporation in the manner provided in this Act for the organization of the company; and the provisions of this Act, or any Act in addition hereto or in amendment hereof, shall apply to such corporation and its members, and such corporation shall be entitled to have and enjoy the powers, privileges, and franchises conferred upon the company by this Act, or any Act in addition hereto or in amendment hereof. The holders of said bonds or debentures, whether they shall organize themselves into a corporation as herein provided or not, or said trustee or trustees, or any persons or corporations claiming by, through or under them, shall, in case they take possession of said property under the provisions of said mortgage or deed of trust, be entitled to

hold, own, and enjoy all the powers, rights, privileges, franchise, and exemptions in reference thereto which were held and enjoyed by the company, whether under any letters patent, or lease from or contract with the crown, or under this Act, or any Act in amendment hereof, or any special or general law in force in the province of Nova Scotia or otherwise. The issue of bonds shall not in the whole exceed the issued capital stock of the company.

(5) The company may, in and by said mortgage or deed of trust, provide for a periodical payment to said trustee or trustees of such sums as they may determine, which sum, with all accumulations thereon, shall constitute a sinking fund, to be applied in such manner as is stipulated in said mortgage or deed of trust.

19. The company shall paint or affix, and shall keep painted or affixed, its name with the word "limited" after it, or forming part of said name, on the outside of every office or place in which the business of the company is carried on, in a conspicuous position, in letters easily legible, and shall have its name, with the word "limited" after it, or forming part of said name mentioned in legible characters in all notices, advertisements, and other official publications of the company; and on all bills of exchange, promissory notes, cheques, orders for money or goods purporting to be drawn, made, signed, given or endorsed by or on behalf of the company, and in all bills, invoices, receipts, letters and other writings used in the transaction of the business of the company, and the company shall be liable to a penalty of twenty dollars for every neglect or omission of the name of the company with the word "limited" after it or forming part of said name, in any of the above cases. "Painting" and affixing.

20. This company shall not commence operations until When company may commence operations. (50) fifty per cent. of its capital stock is subscribed and (50) fifty per cent. of such subscriptions paid up.

21. If the company does not bona fide commence business under the provisions hereof within two years from and after the passing of this Act, then this Act shall become and shall be utterly null and void and of no effect. When Act shall cease and determine.

22. Nothing in this Act contained shall empower the company, or confer any rights, powers or privileges on the company to interfere in any way with the rights, powers and privileges possessed or enjoyed by the Gold River Lum- Limited powers.

ber Company, Limited, its successors or assigns upon Gold River, at or above the confluence of the stream leading from Branch Lake with the said Gold River, commonly called the Forks, or to interfere above said point on said Gold River with the rights, powers or privileges of the said Gold River Lumber Company, Limited, its successors or assigns, heretofore used or enjoyed by the said Gold River Lumber Company, Limited, or any private individuals unless and until the right so to interfere is first acquired or obtained by agreement.

CHAPTER 137.

An Act to amend Chapter 140 of the Acts of 1902, entitled,
An Act to incorporate the Minudie Coal Company.

Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 2 amended.
2. Power to operate railway.
3. Agreements with other companies.
4. Regulations respecting stock.
5. By-laws.

SECTION.

6. Resident manager.
7. Railway Act to apply.
9. Section 12 repealed and substituted.

Be it therefore enacted by the Governor, Council, and Assembly, as follows:—

Section 2
amended.

1. Clause (a) of section two of chapter 140 of the Acts of 1902, entitled, an "Act to Incorporate the Minudie Coal Company," is amended by inserting the words "freestone and grindstone quarries" after the word "right" in the second line of said clause. Clause (e) of said section two is amended by adding to the end thereof the words "also to make harbors, piers, breakwaters and shipping places upon any land owned or acquired by the company."

Power to operate
railway.

2. The said Minudie Coal Company, Limited, shall have power to construct and operate a line of railway from a point at or near River Hebert Corner, in the county of Cumberland to Minudie in said county, and is authorized to extend its line of railway across the Joggins line of railway at a level crossing and across the River Hebert.

Agreements
with other
companies.

3. The said company may purchase, hold and sell any property rights and franchises of any other company, enter into agreements with other companies, incorporated or un-

incorporated, individuals or governments, to build, construct, equip, complete and operate the whole or any part of the company's works, or to lease the same when so completed, or to receive by way of gift or bonus any lands, sums of money, stock, bonds, securities and debentures, on such terms as may be mutually agreed upon, and the company is hereby authorized to issue when necessary, paid up stock of the company in settlement of and to represent the whole or part of the cost or value of such performances, acquisition or bonus, and such stock shall be taken to be fully paid to all intents and purposes, and shall not be subject to any further calls nor shall the holders thereof be liable for any payment on account thereof. The company may at any time buy out the stocks, shares, rights and franchises of any persons or bodies corporate having or holding any rights or interest or shares in any coal mine or mining areas or railway, or any right or interest in any charter for a railway, or any other interest or franchise connected therewith or thereto. The company may by agreement, receive and accept any moneys, lands, mines, franchises, buildings, machinery, leases, licenses, rights or privileges, work, labor, materials or personal services in payment of stock subscribed or allotted or of any installments due thereon.

4. The board of directors may make regulations concerning the transfer of shares or stock in the company, and the form of shares, stock and other certificates, and the assignment thereof. Regulations respecting stock.

5. The company may make by-laws for the management of its affairs not inconsistent with this Act or the laws of the province, and may from time to time alter or repeal the same. By-laws.

6. The said company shall, through its directors, appoint a recognized manager or agent resident in Nova Scotia, service on whom of all process, notices and other documents shall be held to be sufficient service on the company, and the name and address of such manager or agent shall be filed with the registrar of deeds for the county of Cumberland. Resident manager.

7. Chapter 99 of the Revised Statutes, 1900, "The Nova Scotia Railways Act" shall apply to the company's railway, and be considered to be incorporated herewith, unless where varied by this Act. Provided however, that the judge of the county court for district No. 5, shall in respect to the company's railway have all the powers conferred upon a Railway Act to apply.

judge of the Supreme Court under said Railways Act concurrently with any judge of the Supreme Court.

8. The council of the municipality of Cumberland and of the incorporated towns which before incorporation territorially formed part of such municipality, are hereby authorized and empowered to assess for any aid whatsoever that such councils or any of them may by resolution decide to grant to the company towards payment of the lands, for track and station purposes for the line of railway to be built under this Act, in the same manner and at the time the ordinary assessment for the public purposes of said municipality or incorporated towns is made.

Section 12
repealed and
substituted.

9. Section twelve of said Act is repealed and the following substituted therefor:

"12. The head office of the company shall be in River Hebert, in the county of Cumberland."

10. Sections nine and thirteen of said Act are repealed.

CHAPTER 138.

An Act to amend Chapter 181, Acts of 1903, entitled, an Act to incorporate the Port Hood Richmond Railway Coal Company, Limited.

(Passed the 7th day of April, A. D. 1905.)

SECTION 1. Section 27 amended.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 27
amended.

That section 27 of chapter 181 of the Acts of 1903, entitled, An Act to incorporate the Port Hood Richmond Railway Coal Company, Limited, be amended by substituting for the word "two" in line 2 of said section 27, the word "four."

CHAPTER 139.

An Act relating to the Nova Scotia Steel and Coal Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

Preamble.

1. Capital reduced.

SECTION.

2. Power to amend.

Whereas, the capital of the Nova Scotia Steel and Coal Company, Limited, amounts to the sum of seven million dollars, and consists of fifty thousand shares of common stock and twenty thousand shares of preferred stock, all of the par value of one hundred dollars per share and all of which shares have been issued with the exception of nine thousand seven hundred shares of preferred stock which remain in the treasury of the said company.

And whereas, the said company is desirous of reducing its capital to the sum of six million and thirty thousand dollars by the cancellation of the said nine thousand seven hundred shares of preferred stock.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The capital stock of the Nova Scotia Steel and Coal Company, Limited, is hereby reduced from the sum of seven million dollars to the sum of six million and thirty thousand dollars, and nine thousand seven hundred shares of preferred stock remaining unissued in the treasury of the said company are hereby cancelled and the power and authority of the said company to sell and dispose of or otherwise issue the same, is hereby revoked and rescinded.

2. Nothing herein contained, shall be held to impair or curtail the power of the said company to increase the amount of its capital stock or to issue common or preferred shares, or both, of such increased capital stock, under the powers and authority vested in the said company by its Act of incorporation and amending Acts.

CHAPTER 140.

An Act to Incorporate the Pictou Smelting Company,
Limited.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. General powers.
4. Capital.
5. Aliens.
6. General business.
7. Limited liability.
8. Provisional directors.
9. Annual meeting of shareholders.
10. Qualification of directors.
11. Transfer of shares.
12. Shares in other companies.
13. Agreements with other companies.

SECTION.

14. Paid up stock.
15. Power to build railways.
16. Bonds and debentures.
17. "Painting" and "affixing."
18. Notices how served.
19. Notices, when served.
20. Notices, how signed.
21. Directors not disqualified.
22. When company may go into operation.
23. Negotiable paper.
24. Resident agent.
25. May insure employees.
26. When Act shall cease.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Incorporation.¹

1. John U. Ross, Alonzo R. Bayne, and John R. Davies, of Pictou, and such other persons as they in writing may associate with them, their successors, associates and assigns, and such other persons as may become share or stockholders in the company hereby created, are hereby constituted a body corporate, by the name of "The Pictou Smelting Company, Limited," with a common seal, and shall be hereafter referred to as "the company."

Objects.

2. The objects for which the company is established shall be as follows :—

(a) To purchase or otherwise acquire, lease, work, develop and sell, dispose of, or otherwise deal with any mines, mining leases, mining workings, mining claims, alluvial ground, or any interests in the same, and generally in property supposed to contain minerals, or precious stones, and undertakings connected therewith, and to prospect and explore mines and ground supposed to contain minerals, ores, or precious stones; to search for and obtain information as to mines, mining districts, mining claims, water claims, water rights, and any other rights, claims and property.

(b) To acquire by purchase or otherwise, and to crush, dress, amalgamate, reduce, smelt, refine, manipulate, prepare for market and deal in ores, metal, precious stones and mineral substances of all kinds.

(c) To acquire by purchase or otherwise, manage, develop, advance on, sell, or otherwise deal with or dispose of any interest, option or rights in and over any lands, leases, mines, claims, and any real or personal properties of every description, and to work and develop the same in such manner as the company may think fit.

(d) To clear and cultivate any lands which may be acquired by the company, and to sell, dispose of all the products thereof, and to carry on the business of saw mill, colliery and quarry proprietors, contractors, engineers, shippers, general merchants, and of carriers by land or water, or any business connected with or incidental to any of the said businesses.

(e) For the purposes of the company to construct, maintain, work, manage, carry out or control any roads, ways, streets, viaducts, aqueducts, canals, houses, stores, tramways, railways, branches or sidings, reservoirs, water-courses, wharves, harbors, jetties, piers, manufacturies, warehouses, telegraph and telephone lines, gas and electric works, and other works calculated directly or indirectly to advance the company's interests.

(f) To promote or form, or assist in the promotion or formation of any companies, businesses, or undertakings having objects wholly or in part similar to those of this company, or for the purpose of acquiring, purchasing, holding, working or otherwise dealing with any property of this company, or in which this company is interested, or for any other purpose, with power generally to assist such companies, businesses or undertakings, by paying or contributing towards the preliminary expenses thereof, or providing the whole or part of the capital thereof, or by taking and disposing of shares therein, or by lending money thereto upon debentures or otherwise.

(g) To subscribe for, take, acquire, hold, sell and give guarantees by way of underwriting or otherwise, in relation to the stock, shares, debentures, obligations and securities of any company.

(h) To acquire by purchase or otherwise, apply for, obtain and sell patents, patent rights, trade-marks, licenses, or privileges of similar character.

(i) To purchase or otherwise acquire and take over all or any part of the undertaking, good-will, business, pro-

perty, rights, assets and liabilities of any person, partnership, association, company or corporation, carrying on any business within the objects of this company.

(j) To pay for any property, rights, privileges or concessions acquired or agreed to be acquired by the company, and generally to satisfy any payment by, or obligation of, the company by the issue of shares of this or any other company credited as fully or partly paid up, or of debentures or other securities of this or any other company.

(k) To enter into partnership or into any arrangement for sharing profits, union of interests, reciprocal concession or co-operation with any person or persons, partnership, association or corporation.

(l) To pay all expenses of and incident to the formation and establishment of the company, and to remunerate (by cash or other assets, or by the allotment of fully or partly paid shares, or in any other manner, whether out of the company's capital or otherwise as the directors of the company may think fit) to any person or persons for services rendered or to be rendered in introducing any property or business of the company, including any commissions, brokers' fees and charges in connection therewith, or for any other reason which the directors of the company may think proper, provided said remuneration, commissions, brokers' fees and charges do not exceed ten per cent.

(m) To sell, lease, exchange, surrender or otherwise deal with the whole of the undertaking and property and rights of the company, or any part thereof, for such consideration as the company may think fit, and in particular for any shares (whether credited as partly or fully paid up), debentures or securities of any other company, and to divide such part or parts as may be determined by the company, of the purchase moneys, whether in cash, shares or other equivalent, which may at any time be received by the company on a sale of, or other dealing with the whole or any part of the property, estate, effects and rights of the company amongst the members of the company, by way of dividend or bonus in proportion to their shares, or to the amount paid up on their shares, or otherwise to deal with the same as the company may determine.

General powers. 3 The said company shall have power and authority to do any matter or thing necessary to carry out any of the

above objects, or incidental or conducive to the same, subject, however, to the laws of the province.

4. The capital stock of the company shall be three hundred thousand dollars (\$300,000), divided into three thousand shares of one hundred dollars each. Capital.

5. Aliens, whether resident within the province or elsewhere, as well as British subjects, may be shareholders, directors or officers and any aliens or foreign or domestic corporations who are or may be holders of any bonds, stock or debentures of the said company, shall for all purposes have the same rights, privileges and powers in respect thereto as if they were British subjects. Aliens.

6. The company is authorized to transact any business within or out of the province necessary or incidental to any of the purposes for which the company is incorporated. General business.

7. No member or director of the company shall be liable for the debts or liabilities of the company to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable to the amount unpaid on shares so held by him, for any debt or any contract of the company entered into before the date of such transfer so as any action in respect thereof shall be brought within six months after such transfer. Limited liability.

8. The persons named in the first section of this Act. and such persons as they may in writing associate with them, are constituted provisional directors of said company. Provisional directors shall hold office as such until the first annual meeting, which may be called at such time and in such place and with such reasonable notice as they may determine, and until such meeting said provisional directors shall have power to open a stock subscription list and to assign and allot stock of said company and to have and exercise all the powers of ordinary directors of the company under the provisions of this Act. Vacancies caused by death or resignation shall be filled by the other directors until the next annual meeting. Provisional directors.

Annual meeting
of shareholders.

9. The general annual meeting of the shareholders, and all other meetings of shareholders or directors, shall be held at such times and such places within the province, as may be appointed by the by-laws of the company.

Qualification
of directors.

10. No person shall be elected a director of the company unless he is the holder and owner in his own right, or as a trustee for any corporation, of at least twenty-five shares in the company and shall have paid up all calls made thereon. The number of the directors of the company after it is organized shall not be less than five nor more than seven.

Transfer of
shares.

11. The transfer of shares in the company shall be valid and effectual only from the time such transfer is made and entered in the books of the company.

Sharee in other
companies.

12. The company may subscribe for, take, hold and dispose of, shares in any corporation organized or to be organized, and this company is authorized through such agents as the board of directors may appoint, to vote as a stockholder in relation to the shares so held by the company in such corporation and the said corporation is hereby empowered to accept such agent's vote and recognize the same.

Agreements with
other companies.

13. It shall be lawful for the company to enter into agreements with other companies, corporate or incorporate, and individuals, associations or governments, to purchase, lease, operate or acquire, copper, iron, coal and other mines, lines of railway, tram roads, wire-rope tramways, water powers or privileges, rolling stock, plant, machinery, appurtenances or other estate, real or personal, or to build, construct, equip and complete the whole or any part of the company's works, or to receive by way of gift or bonus any lands, sums of money, securities, debentures, real or personal estate on such terms as may be agreed upon; and the company is hereby authorized to issue, when necessary, paid up stock of the company in settlement of, or to represent the whole or part of the cost or value of such purchase.

Paid up stock.

14. The company may make and issue as paid up stock, shares of the company and pay and allot such shares in payment of plant, rolling stock, mining and smelting plant or materials of any kind; also pay and allot such paid up shares in payment for the services of or work done by contractors, engineers, solicitors and other persons who have

been or may be engaged in promoting the undertaking or work of the company, and may allot and pay over such full paid shares and its bonds or debentures, in whole or partial payments for the purchase, lease or other acquisition of copper, iron, coal and other mines, and of railways, wharves, lands, ships, and other property which the company is hereby authorized to acquire, construct, operate or own, or in payment for the shares or bonds in other companies, which the company is hereby authorized to acquire. The issue, allotment or payment of such full paid stock shall be binding on the company, and shall make the same full paid stock, and the same shall not be assessable or subject to any calls for any purpose whatsoever, and the holders of said stock allotted or paid as aforesaid shall not be subject to any personal liability whatsoever in respect thereof.

15. The company, whenever they deem it expedient, necessary or convenient, for the purpose of transporting the output of any mine or property owned, worked or operated by the company, to construct steam, electric tram or cable railways, shall have the right and authority to survey, locate, build, construct, equip, maintain, and operate such railway or branch railways from any such property or properties to any seaport, harbor, point or place, and may purchase, acquire, and operate other lines of railways connecting said lines or branch lines of railway with any other point or place, and may purchase, acquire and operate any line of railway connecting with said lines or branch lines of railway, and may transact all business usually performed on or by means thereof, and may conduct general traffic, and carry freight for hire thereon, and whenever the length of any one line shall exceed five miles, then in that case the municipal council or councils of the county or counties through which the said line or lines shall run, may grant a free right of way to the company for the said line or lines. Such railroad or railroads may be operated by such motive power as the company may decide. The Nova Scotia Railway Act, "Of Railways," as comprised in chapter 99, Revised Statutes of 1900, shall apply to the company, and be considered as incorporated herewith, except where inconsistent herewith.

Power to build railways.

16. For any or all of the purposes of the company, the company is hereby empowered, under the authority of a majority vote of the shares of the company represented in person or proxy at a meeting called for that purpose, or at any annual meeting of the company, to issue at one or more times or in one or more series, its bonds or debentures, under its seal, and signed by its president or other presiding officer

Bonds and debentures.

and countersigned by its treasurer or secretary, and such bonds or debentures may be made payable at such times, in such places in Nova Scotia or elsewhere, and bear interest at such rate per annum, and may be subject to such conditions as the company may at such meeting decide. The directors of the company are hereby authorized to pledge or sell, upon the best terms they may be able to obtain, any such bonds or debentures. The company may secure any of the bonds or debentures of the company by a mortgage-deed or deeds of trust, creating such lien, mortgage, charge, or encumbrance upon all or any portion of its property, whether real, personal or mixed (including the franchise of being a corporation), whether owned and enjoyed by it at the date of such mortgage or deed of trust or thereafter acquired; and the legal title to all property acquired subsequently to the date of such mortgage or deed of trust, which purports to be covered by said mortgage or deed of trust, shall vest in said trustee or trustees for the bond or debenture holders as soon as the same is acquired or owned by the company. By any such mortgage or deed of trust the company may confer upon the holders of such bonds or debentures, or such trustee or trustees, such powers, rights and remedies as may be deemed desirable in order to enable such holder, trustee or trustees to obtain possession and enjoyment of and title to such property or to obtain the value thereof by sale or otherwise in case of default by the company. Any domestic or foreign corporation or trust company may act as trustee under such mortgage or deed of trust. The issue of bonds and debentures under the authority of this Act shall not exceed in the whole the amount of the subscribed stock of the company.

“Painting” and
“affixing.”

17. The company shall paint or affix, and shall keep painted or affixed, its name with the word “limited” after it, or forming part of said name, on the outside of every office or place in which the business of the company is carried on, in a conspicuous position, in letters easy legible, and shall have its name, with the said word “limited” after it, or forming part of its name, mentioned in legible characters in all notices, advertisements, and other official publications of the company, and on all bills of exchange, promissory notes, cheques, orders for money or goods purporting to be drawn, made, signed, given or endorsed by or on behalf of the company, and in all bills, invoices, receipts, letters and other writings used in the transaction of the business of the company, and the company shall be liable to a penalty of twenty dollars for every neglect or omission of the name of

the company with the word "limited" after it or forming part of said name, in any of the above cases.

18. Notices requiring to be served by the company upon the members may be served either personally or by sending them through the post in registered letters, addressed to the members at their place of abode as appearing in the books of the company. Notices, how served.

19. A notice or other document served by post by the company on a member shall be taken as served at the time when the registered letter containing it would be delivered in the ordinary course of post; to prove the fact of time and service it shall be sufficient to prove that such letter was properly addressed and registered and was put into the post office, and the time when it was put in, and the time requisite for its delivery in the ordinary course of post. Notices, when served.

20. Any summons, notice, order or proceeding, requiring authentication by the company may be signed by any director, manager or other authorized officer of the company, and the same may be in writing or in print, or partly in writing and partly in print. Notices, how signed.

21. No director shall be disqualified by his office from contracting with the company, nor shall any such contract or arrangement entered into by or on behalf of the company with any director or any company or partnership of or in which any director shall be a member, or otherwise interested, be voided; nor shall any director so contracting or being such member, or so interested, be liable to account to this company for any profit realized by such contract or arrangement by reason only of such director holding that office, or of the fiduciary relation thereby established, but no such director shall vote in respect of any such contract or arrangement, and the nature of his interest must be disclosed by him at the meeting of the board at which the contract or arrangement is so determined on if his interest then exist, or in any other case at the first meeting of the board after the acquisition of his interest, or after the contract arrangement or agreement is determined on. Directors not disqualified.

22. The company shall not go into operation until fifty per cent. of the capital stock is subscribed, and twenty-five per cent. of such subscription is paid up. When company may go into operation.

23. The company shall have power to draw or accept or indorse bills of exchange, promissory notes, and other negotiable paper. Negotiable paper.

able paper on behalf of and for the purposes of the company.

Resident agent.

24. The directors shall appoint an agent in the county of Pictou, service on whom of all process, notices and other documents, shall be held to be sufficient service on the company. The name of such agent shall be filed with the registrar of deeds for the county of Pictou, and for the counties in which the business of the company is being carried on, and in case of the death or absence of such agent from the province, and before the appointment of another, service of process, notices and documents may be made by affixing a copy upon some conspicuous building or office of the company in which the business of the company is being carried on, and advertising the same for two weeks in newspapers published in such counties, and if there are no newspapers published in such counties, then by advertising the same for two weeks in at least one newspaper published in the county of Pictou.

May insure employees.

25. It shall be lawful for the company to insure any of its employes against loss by accident or injury occurring in the discharge of his duties as such employe irrespective of how such accident may have occurred, at the cost and charges of said company.

When Act shall cease.

26. This Act shall cease and determine if active operations under it are not commenced and continued within two years from and after the date of its passing.

CHAPTER 141.

An Act to incorporate the Bear River Steamship Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. General powers
4. Capital.
5. Provisional directors.
6. Meetings.
7. Votes of shareholders.
8. Election of directors.
9. Managing Board.
10. Limited liability.

SECTION.

11. Transfer of shares.
12. By-laws.
13. Stock books.
14. Calls.
15. Notices.
16. Forfeiture of shares.
17. Evidence of forfeiture
18. "Painting" and "mixing."
19. When Act shall cease.
20. When Act shall go into operation.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. W. W. Clarke, W. G. Clarke, B. C. Clarke, and W. E. Read, all of Bear River, Annapolis County; C. H. Purdy, L. J. Lovett, Frank Jones, J. E. Woodworth, and A. B. Marshall, all of Bear River, Digby County, and such other persons as may become shareholders in the company hereby incorporated, are hereby constituted a body corporate by the name of "The Bear River Steamship Company, Limited," and the head office of the company will be at Bear River, in the county of Annapolis, or elsewhere in the province of Nova Scotia, as the company may by by-law decide.

2. The said company shall have power:

Objects.

(a) To build, purchase, hire, charter, navigate and maintain steamships, sailing vessels and all other kinds of craft, including tugs and barges, to carry on a coasting and steam navigation business between ports and places in the Province of Nova Scotia, and towing, and to carry and convey passengers and mails, goods, chattels, wares and merchandise, and to prosecute and carry on the business of common carriers of passengers and goods, forwarders and traders, and of wharfingers and warehousemen, as their business may require, with power to sell and dispose of the said vessels, or any of them, or grant or consent to bottomry or other bonds on the same, or to mortgage the property of the company or any part thereof when and as they may deem expedient, and to make and enter into contracts and agreements with any person or persons or corporations for

the purpose of carrying out any of the purposes aforesaid or otherwise for the benefit of the company.

(b) To purchase, rent, erect and hold in said ports for the purposes of the company, either in the name of the company or in the name of trustees for the benefit of the company, such lands, wharves, docks, warehouses, offices and other buildings as they deem necessary and convenient for the purposes of the company, and to sell, mortgage, and dispose of the same for the purposes of the company.

(c) To acquire, manufacture, buy, sell, dispose of, consign to agents for sale, and deal in all such kinds of goods, chattels and merchandise as the company shall see fit, and to engage in and carry on such business as is usually engaged in by merchants, commission merchants, ship-brokers, dealers and traders.

General powers.

3. The company in its corporate name is hereby empowered to do and perform all things necessary and proper for the carrying out of the above objects.

Capital.

4. The capital stock of the company shall be twenty thousand dollars, to be divided into one hundred shares of two hundred dollars each.

Provisional directors.

5. The persons named in section one of this Act shall be provisional directors of the company, and shall have power to open stock books and to procure subscriptions for shares in the capital stock of the company, and to make calls upon subscribers.

Meetings.

6. The first meeting of the company shall be held at Bear River, in the county of Annapolis, in the province of Nova Scotia, within six months after the passing of this Act, as the provisional directors determine, notice of such meeting to be given by mailing, postage prepaid and registered, a written notice to each shareholder at least ten days before such meeting, specifying the time and place of such meeting, and subsequent meetings shall be held at such times and places as the company may determine by by-law or otherwise, a notice thereof being given by mailing, postage prepaid and registered, a written notice to each shareholder at least ten days before the meeting. The company, at said first meeting, shall elect a board of directors, who shall hold office till the first annual meeting of the company thereafter.

7. At all meetings of the shareholders each share shall entitle the holder to one vote, which may be given in person or by proxy, and no one who is not a shareholder shall act as such proxy; and no shareholder shall be entitled, either in person or by proxy, to vote at any meeting upon any share or shares in respect to which any call is in arrear, provided however, that the company may by by-law limit the number of votes to which the holder of shares may be entitled. Votes of shareholders.

8. If at any time an election of directors be not made or do not take effect at the proper time, the company shall not be held to be thereby dissolved, but such election may take place at any general meeting of the company duly called for that purpose, and the retiring directors shall be continued in office until their successors are appointed. Election of directors.

9. The affairs of the company shall be managed by a board of not less than three directors, as the shareholders from time to time determine, who shall have power to fill all vacancies, excepting that no person shall be eligible as a director who is not a registered shareholder, holding at least two shares. Such directors shall appoint a president and secretary, and such other officers as the directors deem necessary. Managing board.

10. No member or director shall be liable for the debts or liabilities of the company to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company, but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable for any contract of the company, entered into before the date of such transfer, so as any action in respect of such liability shall be brought within six months after such transfer. Limited liability.

11. No assignment or transfer of any share shall be valid or effectual until such transfer be entered and registered, in a book to be kept for that purpose, by such officer as the directors may from time to time designate, provided that whenever a shareholder shall transfer in manner as aforesaid, all his stock or shares in the said company, such shareholder shall cease to be a member of the said company. Transfer of shares.

By-laws.

12. The directors may from time to time make, alter, amend or repeal by-laws, rules or regulations as they may deem necessary and proper for the management of the affairs of the company generally, but every such by-law, and every repeal, amendment or re-enactment thereof, unless in the meantime confirmed at a general meeting of the company called for that purpose, shall only have force until the next general meeting of the company, and in default of confirmation thereat, shall at and from that time only cease to have force, provided, however, that one fourth part in value of the shareholders shall at any and all times have a right to call a special meeting thereof for the transaction of any business specified in a written requisition, signed by such shareholders, and ten days' notice of every such special meeting, reciting the business to be done thereat, shall be sent to every registered shareholder by mail or by personal service. Said by-laws and every repeal, amendment or re-enactment shall by approved by the Governor-in-Council.

Stock books.

13. The directors of the company, for the time being, may open stock books for the subscription of persons desiring to become shareholders in the capital stock of the said company, and all persons so subscribing shall pay ten per cent. on allotment of shares, and the directors may make calls from time to time on such shares, payable at such times and in such amounts, in such places and in such manner as they shall determine, provided, however, that no call shall exceed twenty-five per cent., and an interval of at least thirty days shall intervene between the date for the payment of the one call and the date for payment of the succeeding call.

Calls

14. A call shall be deemed to have been made at the time a resolution of the directors authorizing such call was passed, and if a shareholder fails to pay any call due from him before or on the day appointed for the payment thereof, he shall be liable to pay interest for the same at the rate of six per centum per annum from the date appointed for the payment to the time of the actual payment thereof.

Notices.

15. All notices of calls upon shareholders shall be given by mailing a notice of such calls, registered and post-paid, addressed to each shareholder liable to pay the same, at his post office address, as recorded in the books of the company, at least four weeks before the time appointed for the payment thereof.

16. If after such demand or notice as hereinbefore provided, any call or calls made upon any share or shares be not paid within such time as may be limited in that behalf, the directors in their discretion, by vote to that effect duly recorded in their minutes, may summarily declare to be forfeited any shares whereupon such payment is not made, and the same shall thereupon become the property of the company, and may be disposed of as the by-laws of the company may direct; but notwithstanding such forfeiture, the holder of such shares at the time of such forfeiture shall continue liable to the then creditors of the company for the full amount unpaid on such shares at the time of the forfeiture, less any sums which have been subsequently realized by the company in respect thereof.

Forfeiture of shares.

17. The company may, if they see fit, instead of declaring forfeited any share or shares, enforce payment of all calls and interest thereon by action in any competent court, and in any such action a certificate under the seal of the company and purporting to be signed by the secretary of the company to the effect that the defendant is a shareholder, that such call or calls has or have been made, and that so much is due by him and unpaid thereon, shall be received as against the defendant in all such courts as prima facie evidence to that effect.

Evidence of forfeiture.

18. The company shall paint or affix, and shall keep painted or affixed, its name, with the word "limited" after it, or forming part of said name, on the outside of every office or place in which the business of the company is carried on, in a conspicuous position, in letters easily legible, and shall have its name, with the word "limited" after it, or forming part of its name, mentioned in legible characters in all notices, advertisements, and other official publications of the company, and on all bills of exchange, promissory notes, cheques, orders for money or goods purporting to be drawn, made, signed, given or indorsed, by or on behalf of the company, and in all bills, invoices, receipts, letters and other writings used in the transaction of the business of the company, and the company shall be liable to a penalty of twenty dollars for every neglect or omission of the name of the company, with the word "limited" after it, or forming part of said name, in any of the above cases.

"Painting" and "affixing."

19. This Act shall cease and determine if effective work shall not be commenced and continued under it within two years from the date of its passage.

When Act shall cease.

When Act
shall go into
operation.

20. This Act shall not go into operation until fifty per cent. of the capital stock is subscribed and twenty-five per cent. of the same actually paid.

CHAPTER 142.

An Act to amend Chapter 179, Acts of 1903, entitled, "An Act to incorporate the Empire Trust Company, Limited."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 3 amended.
2. Section 5 amended.

SECTION.

3. Section 1 amended.
4. Section 12 amended.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 3
amended.

1. Section 3 of chapter 179 of the Acts of the Legislature of Nova Scotia for the year 1903, is amended by adding thereto the following words: "The shareholders shall have power from time to time to increase the capital stock of the company to an amount not exceeding in the whole five hundred thousand (500,000) dollars, upon the authority of a vote of the majority of the shareholders present, in person or by proxy, at a meeting duly called for that purpose, or at any general meeting of the company."

Section 5
amended.

2. Section 5 of said chapter 179, is amended to read as follows:

"5. The number of directors of the company shall be as prescribed by the by-laws of the company, and the directors from time to time may by by-law delegate such of their powers and duties as they may see fit to an executive committee, consisting of not less than three members of the board."

Section 1
amended.

3. Section 1 of chapter 179, is amended by striking out the word "limited" in the 8th line of said section.

Section 12
amended.

4. Section 12 of said chapter 179, is amended by striking out the words "with the word limited after it or forming part of the said name," wherever they occur in said section.

CHAPTER 143.

An Act to amend Chapter 158, Acts of 1902, entitled,
 "An Act to incorporate The Nova Scotia Fire
 Insurance Company."

(Passed the 7th day of April, A. D. 1905.)

SECTION 1. Section 11 amended.

Be it enacted by the Governor, Council, and Assembly,
 as follows:—

1. Section 11 of chapter 158 of the Acts of 1902, en-
 titled, "An Act to incorporate The Nova Scotia Fire Insur-
 ance Company," is amended by striking out the words
 "within the province of Nova Scotia" from the first and
 second lines of said section.

Section 11
 amended.

CHAPTER 144.

An Act to further amend the Acts relating to the Acadia
 Fire Insurance Company.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 3, chapter 77, Acts of 1862,
 amended.

SECTION.

2. Section 2, chapter 121, Acts of 1887,
 repealed.

Be it enacted by the Governor, Council, and Assembly, as
 follows:

1. Section 3 of chapter 77 of the Acts of 1862, entitled,
 "An Act to incorporate the Acadia Fire Insurance Com-
 pany," as amended by chapter 74 of the Acts of 1873, is
 hereby amended by striking out the words "within this
 province," in the fifth line of said section.

Section 3, chap-
 ter 77, Acts of
 1862, amended.

2. Section 2 of chapter 121 of the Acts of 1887, is here-
 by repealed, and the following substituted therefor:—

Section 2, chap-
 ter 121, Acts of
 1887, repealed.

"The head office of the company shall be in the city of
 Halifax, but the company shall have full power and
 authority to comply with the laws of Canada and of any
 province in the Dominion of Canada wherein it proposes to

carry on business so far as such laws are not inconsistent with the provisions of this Act or the Acts hereby amended, or with the laws of Canada, and the Directors may open agencies and appoint agents and sub-agents in such cities, towns and places as they consider necessary or expedient for conducting or extending the business of the company, and may make regulations for the guidance of such agents and sub-agents.

CHAPTER 145.

An Act respecting The Pictou County Farmers' Mutual Fire Insurance Company.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Power to do business.

SECTION.

2. Act, when in force.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Power to do
business.

1. The Pictou County Farmers' Mutual Fire Insurance Company, having its head office at Pictou, in the county of Pictou, is hereby declared to have become on the 22nd day of September, 1904, and to be a body corporate under the provisions of chapter 46 of the Acts of 1903-04, notwithstanding the failure of said company to comply with the provisions of section 4 of said chapter 46, as to filing documents in the office of the registrar, and the said company is declared to have been since the 22nd day of September, 1904, and to continue to be entitled to receive applications, to issue policies of insurance, and to transact all the business which a Mutual Fire Insurance Company, duly formed under said chapter 46, may lawfully do, in respect to the business of insuring isolated dwelling-houses, farm-buildings, churches, halls, school-houses, barns, and other useful, non-hazardous buildings, and the ordinary contents of such buildings against loss by fire or lightning.

Act, when
in force.

2. This Act shall not come into force until a certificate signed by the registrar of deeds for the registration district of the county of Pictou that true copies of the documents mentioned in section 4 of chapter 46 of the Acts of 1903-4, have been filed in his office, has been furnished to the

registrar of joint stock companies, and the fee mentioned in section 74 of said chapter 46, has been paid.

CHAPTER 146.

An Act respecting the Kings Mutual Fire Insurance Company.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Authority to do business.

SECTION.

2. Sections 71 to 73 not to apply.

Be it enacted by the Governor, Council, and Assembly, as follows :—

1. The Kings Mutual Fire Insurance Company, a body politic, incorporated under the provisions of chapter 46 of the Acts of 1903-4, and having its head office at Berwick, in the county of Kings, shall be deemed to have been entitled since it became a body corporate and politic under the provisions of said chapter, and shall be entitled hereafter to receive applications to issue policies of insurance and to transact all the business which a mutual fire insurance company duly formed under said chapter may lawfully do in respect of the business of insuring isolated dwelling houses, farm buildings, churches, halls, school houses, stores and other useful non-hazardous buildings against loss by fire or lightning. Authority to do business.

2. Sections 71 to 73, both inclusive, of said chapter, shall not apply and shall be deemed not to have applied in the case of said company. Sections 71 to 73 not to apply.

CHAPTER 147.

An Act respecting the LaHave Marine Insurance Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

- Preamble.
- 1. Powers confirmed.
- 2. Objects.
- 3. Capital.
- 4. Board of directors.
- 5. Calls.
- 6. Forfeiture of shares.
- 7. Annual meetings.
- 8. Special meetings.
- 9. Votes of shareholders.
- 10. Election of directors.
- 11. New Election of directors.

SECTION.

- 12. Limited liability.
- 13. By-laws.
- 14. Books open for examination.
- 15. "Painting" and "affixing."
- 16. Application of earnings.
- 17. Directors' remuneration.
- 18. Negotiable papers.
- 19. No dividends out of capital.
- 20. Allotment of new issue of stock.
- 21. Resolution confirmed.
- 22. Copy of by-laws to be filed with registrar of companies.

Preamble.

Whereas, the LaHave Marine Insurance Company, Limited, hereinafter called "the company," was by letters patent under the great seal of the province of Nova Scotia, dated 12th day of April, 1894, duly incorporated under and by virtue of chapter 79 of the Revised Statutes of Nova Scotia, fifth series, for the purpose of carrying on a marine insurance business;

And whereas, it is in contemplation to increase the capital of said company from \$40,000.00 to \$80,000 00 ;

And whereas, it is desirable to extend the objects of the company,

Be it enacted by the Governor, Council, and Assembly, as follows :—

Powers confirmed.

1. The power and authority given the LaHave Marine Insurance Company, Limited, by said letters patent, are hereby confirmed and granted to the company.

Objects.

2. The objects of the company are hereby extended and shall include :

- (a) The purchase, lease, hire, letting and sale, of any real estate necessary for the purposes of the company.
- (b) The making of contracts of insurance upon cargoes, ships or vessels of any description, and the freight of such ships or vessels, the outfit and

catch of vessels engaged in fishing and specie or currency where afloat.

- (c) The re-insurance, in whole, or part in other marine insurance companies, of risks accepted by the company, and the acceptance and making of contracts of re-insurance for other marine insurance companies.

3. The capital stock of the company is hereby increased ^{Capital.} from forty thousand dollars to eighty thousand dollars; and the par value of the shares of the increased capital shall be of the same denomination as the original capital of the company, viz., one hundred dollars.

4. The management of the affairs of the company shall ^{Board of directors.} be conducted by a board of seven (7) directors, one of whom shall be chosen as president and one vice-president; they, the directors having power to choose the president and vice-president from among themselves; and the necessary officers of the company shall, in addition thereto, consist of a secretary, two auditors or examiners of the accounts of the company, and such other officers or servants as the company shall by their by-laws direct. No person shall be eligible to sit on the board of directors unless he is the holder of at least five shares of the company's stock.

5. All calls or installments on account of the shares of ^{Calls.} the original or increased capital shall be paid by the several shareholders at such times and in such equal proportions as the directors shall appoint, and notice of the times and places of paying such calls shall be given them by notice thirty days previous to the time of payment by mailing, postage prepaid and registered, to each shareholder a written notice of such call and its time and place of payment.

6. If any shareholder shall refuse to pay or neglect to ^{Forfeiture of shares.} pay any installment due upon any share or shares held by him, the directors may forfeit such share or shares, and such forfeited share or shares may be sold by the directors after thirty days' written notice, mailed prepaid and registered, has been given to the holder thereof; such shareholder being allowed thirty days after such notice to pay said instalment and all expenses incurred; and if the amount realized from such sale as aforesaid shall be more than the indebtedness of said shareholder, the balance so remaining after deducting as aforesaid shall be paid to said shareholder or his legal representative; but if the amount realized should be less

than the indebtedness the balance shall be recoverable in law as a debt due by the shareholder, provided always that the directors shall have power to enforce such calls by law and in such action it shall be sufficient to prove that the defendant is the holder of one or more shares, that such calls were made, and it shall not be necessary to prove the appointment of the directors who made such calls. A copy of any by-law or regulation, or minute, or any entry book of the company certified to be a true copy or extract under the hand of the president or vice-president and secretary of the company and sealed with the corporate seal, shall be received in all courts without further proof.

Annual meeting.

7. The annual meeting of the shareholders shall be held on the second Tuesday in February in each and every year, at such place in Getson's Cove, in the county of Lunenburg, or elsewhere in said county, as the directors may from time to time appoint, and notice of the time and place of such annual meeting shall be given by post card mailed to every shareholder residing within the county of Lunenburg at least five days before the date of such meeting, and by notice to every shareholder residing outside the said county mailed postage prepaid and registered, at least two weeks before the date of such meeting, and the shareholders present in person or by proxy at such meeting shall elect the directors and auditors for the ensuing year, or re-elect or continue all or any individual member of those already in office.

Special meetings.

8. Special meetings of the company shall be called in the same manner in which annual meetings are called, and the notice shall be given at least ten days before the time fixed for the meeting and in the manner provided for in the previous section. The notice shall also state the object for which the meeting is called, and no other business shall be transacted at the meeting. No business of any kind shall be transacted at a special shareholders' meeting unless at least ten members of the company are present.

Votes of
shareholders.

9. At all general or special meetings of the company, each shareholder shall be entitled to give a vote for every share which has been held by him for not less than fourteen days previous to the time of voting and upon which all calls when due shall have been paid; such vote or votes shall be given in person or by proxy, the holder of such proxy being himself a shareholder; and all questions proposed for the consideration of the shareholders shall be determined by the majority of votes, the president or whoever shall preside at

general and special meetings having the casting vote, in case of an equality of votes

10. At the annual meeting of the shareholders the election of directors and auditors shall be held as hereinbefore provided, and a general balance sheet and statement of the affairs of the company and all such further information as shall be required by the by-laws shall be laid before the shareholders. Election of directors.

11. In case it should at any time happen that an election of directors of said company should not have been made when pursuant to this Act it should have been made, some other convenient day shall be appointed by the directors, of which notice shall be given as provided in section 7, as soon after as may be, and the directors shall continue in office until a new election of directors shall be made. New election of directors.

12. No member or director of the company shall be liable for the debts or liabilities of the company to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable for any contract of the company entered into before the date of such transfer, and in respect to which any action shall be brought within six months after the date of such transfer. Limited liability

13. The directors shall have full power and authority to make, and from time to time to alter, such by-laws, rules and regulations as shall appear to them proper and needful touching the well ordering of the company, the management and disposition of the stock, property, estate and effects thereof; the regulation of the meetings of the directors, the appointment or dismissal of the secretary, the definition of his duties and powers, and the renewal and enlargement of his security when they shall deem it necessary; the making of calls upon the subscribed stock; the appointment of any officer, agent or servant of the company, the regulation of their powers and duties; the regulation and transfer of stock and the form thereof; the amount which may be taken and be at risk on any one ship, vessel or cargo at the same time and any interest therein depending, the investment of the paid capital of the company which shall not be considered necessary to be By laws.

kept on hand for the payment of the losses and other necessary expenses, to be invested upon approved securities, municipal bonds, debenture, or other stock; and the payment of premiums or dividends or both. Provided always, that the shareholders at a special meeting called for that purpose, or at the annual meeting of the said company shall have power to alter and amend such by-laws, if they or a majority of them deem it necessary in the interest of the company.

Books open for examination.

14. The books of account of the company shall at all times be open to the examination of such persons as the Governor-in-Council shall appoint to inspect the same.

"Painting" and "affixing."

15. The company shall paint or affix, and shall keep painted or affixed, its name with the word "limited" after it, or forming part of said name, on the outside of every office or place in which the business of the company is carried on, in a conspicuous position, in letters easily legible, and shall have its name, with the said word "limited" after it, or forming part of its name, mentioned in legible characters in all notices, advertisements, and other official publications of the company; and on all bills of exchange, promissory notes, cheques, orders for money or goods purporting to be drawn, made, signed, given or indorsed by or on behalf of the company, and in all bills, invoices, receipts, letters and other writings used in the transaction of the business of the company, and the company shall be liable to a penalty of twenty dollars for every neglect or omission of the name of the company with the word "limited" after it, or forming part of said name, in any of the above cases.

Application of earnings.

16. The directors of the company may from time to time apply the whole or any portion of the accrued earnings of the company as a partial or full payment on account of the balance unpaid and liable to call upon each share of issued stock of the company; provided however, that the same be confirmed by two-thirds of the shares of the company present or represented by proxy at an annual meeting or a special meeting of the company called for that purpose. Such application of the earnings of the company as partial or full payment upon the subscribed capital stock of the company shall relieve every holder of the company's stock from any further liability thereon to the extent of the amount so applied from time to time.

17. The directors shall be paid such sum or sums of money annually as the shareholders at the annual meeting may direct. Directors' remuneration.

18. All notes, drafts, cheques, negotiable instruments, policies of insurance, &c., shall be signed by the president and countersigned by the secretary on behalf of the company. Negotiable papers.

19. No dividend shall at any time be paid in cash to shareholders out of the paid up capital of the company. No dividends out of capital.

20. A committee of seven shareholders shall be appointed at a meeting of shareholders, annual or special, called for that purpose, to allot any new issue or stock of the company and if no such committee is appointed then such allotment shall be made by the directors in such manner as they may see fit. Allotments of new issue of stock.

21. The resolution of the company passed at the annual meeting on the 14th day of February, A. D., 1905, resolving that the capital of the company be increased from forty thousand dollars to eighty thousand dollars is hereby declared legal and binding. Resolution confirmed.

22. A copy of the by-laws with the amendments made from time to time certified by the president and secretary of the company, shall be filed in the office of the registrar of companies at Halifax. All such by-laws and every repeal, amendment or re-enactment thereof shall be subject to the approval of the Governor-in-Council. Copy of by-laws to be filed with registrar of companies.

CHAPTER 148.

An Act to amend Chapter 184, Act of 1903-4, entitled,
"An Act respecting the Lunenburg Marine Insurance
Company, Limited."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section 7 repealed and substituted.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Section 7
repealed and
substituted.

1. Section 7 of chapter 184 of the Acts of 1903-4, is hereby repealed and the following section substituted therefor:

7. The annual meeting of the shareholders of the company shall be held on the fourth Thursday of January in each and every year at the company's office at Lunenburg, notice thereof to be given by post card mailed to every shareholder residing within the county of Lunenburg at least five days before the date of such meeting and by notice to every shareholder residing outside the said county mailed postage prepaid and registered, at least two weeks before the day of such meeting; and the shareholders present, in person or by proxy at such meeting, shall elect the directors for the ensuing year, or re-elect or continue the whole or any individual member of those already in office. Special meetings of the company may be called in such manner as may be provided for in the by-laws of the company.

CHAPTER 149

An Act to incorporate the Union Telephone Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Provisional directors.
3. Capital.
4. Stock subscriptions.
5. Powers.
6. General powers.
7. Additional powers.
8. Board of directors.
9. Limited liability.
10. Stock books.
11. Calls, how made.
12. Notices of calls.
13. Shares forfeited.
14. Payment of calls enforced.
15. Money due for calls deducted from dividends.
16. Votes of shareholders.
17. Vacancies.

SECTION.

18. By-laws.
19. Notices, how served.
20. Transfer of shares.
21. Shares not transferred in certain cases.
22. Office, where situated.
23. Power to acquire property.
24. "Painting" and "affixing."
25. Company may stop service in certain cases.
26. Workmen may enter houses.
27. Instruments not subject to distress.
28. Wires cut in certain cases.
29. Penalty for destroying property of company.
30. Conductor not to be laid.
31. Penalty.
32. Penalties, how collected.
33. Act, when in operation.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Incorporation.

1. James MacKay, Adam Gunn, Alexander A. Cameron, all of East River, St. Mary's, in the county of Pictou; Rev. F. L. Jobb, Daniel P. MacPhee, Alexander Chisholm, all of Blue Mountain, in the said county of Pictou; John

Fraser, Duncan Wood, and Evan MacDonald, all of Garden of Eden, in the said county of Pictou, and such other persons as may become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Union Telephone Company, Limited," hereinafter called the company. The head office of the company shall be at Blue Mountain, in the county of Pictou, and province of Nova Scotia, or such other place in the said province as may hereafter be determined by the directors of the said company. The company shall have power to build, establish, construct, purchase, acquire or lease, maintain and operate telephone switch boards, telephones and telephone lines between New Glasgow, in the county of Pictou, and the county line between the counties of Pictou and Guysborough, at East River, St. Mary's aforesaid, and between all points or places situate within the said limits.

2. The persons above named shall be the provisional directors and have all necessary powers as such until the first regular meeting of the company, or the appointment of the officers of the same. Said provisional directors shall call said first meeting of the company at Garden of Eden aforesaid, at such time and place as they may determine, and of which written or printed notice shall be given by mailing the same, postage prepaid and registered, to each shareholder at least ten days before such meeting. The company may elect all necessary officers and establish by-laws at such or any subsequent meeting.

Provisional
directors.

3. The capital stock of the company shall be five thousand dollars, divided into five hundred shares of ten dollars each, with power to increase the same to seven thousand dollars upon a vote of two-thirds of the stockholders of the company in person or by proxy, at an annual meeting, or a special general meeting called for that purpose.

Capital.

4. The provisional directors shall have power and authority to open stock books, and to procure subscriptions for shares in the capital stock of the company, to make calls on the subscribers, and to cause surveys and estimates to be made.

Stock sub-
scriptions.

5. The company shall have power to manufacture tele-phones and other apparatus connected therewith and their appurtenances, and other instruments used in connection with the business of a telephone company, and also such other electrical instruments and plant as the said company may deem advisable, and to purchase, sell or lease the

Powers.

same and the rights relating thereto, and to build, establish, construct, purchase, acquire, lease, maintain and operate, or sell or let any line or lines for the transmission of messages by telephone and to make connection for the purpose of telephone business with the line or lines of any telegraph or telephone company, and to aid or advance money to build or work any such line to be used for telephone purposes.

General powers.

6. The company may construct, erect and maintain its line or lines of telephone along the sides of and across or under any public highways, streets or bridges, rivers or watercourses, by sub-fluvial cable or otherwise. Provided the said company shall not interfere with the public right of travelling on or using such highways, streets, bridges, rivers or water courses; provided also, that in cities, incorporated towns, and municipalities the opening up of the streets for the erection of poles, or for carrying the wires underground, shall be done under the direction and supervision of the engineer, or such other officer as the council of such city, town or municipality, as the case may be, may appoint, and in such manner as the council directs, unless such engineer, officer or council after ten days' notice in writing, shall have omitted to make such direction; and provided, also, that the surface of the street shall in all cases be restored to its former condition by and at the expense of the company; and provided, also, that whenever in case of fire it becomes necessary for its extinction or the preservation of property that the telephone wires should be cut, the cutting under such circumstances of any of the wires of the company under the direction of the person in charge of the extinguishing of each fire, shall not entitle the company to demand or claim compensation for any damage that may be sustained.

Additional powers.

7. The said company shall have power and authority to purchase or lease for any term of years any telephone line established or to be established, connecting or hereafter to be connected with the lines which the said company is authorized to construct, or to purchase or lease for any term of years the right of any company to construct any such telephone line; and shall also have power and authority to amalgamate with or to lease their line, or any portion or portions thereof from time to time to any company or person possessing as proprietor any line of telegraphic or telephone communication connecting or to be connected with the company's line; and the company shall also have power to enter into any arrangement with any person, firm,

or corporation possessing as proprietor any line of telegraphic or telephonic communication, or any power or right to use communication by means of the telephone, upon such terms and in such manner as the directors may from time to time deem expedient or advisable, or to become a shareholder in any such corporation.

8. The business of the company shall be managed by a ^{Board of directors.} board of nine directors, or such number as may from time to time be determined by resolution of the shareholders, and each such director shall be the proprietor of at least two shares of the capital stock of the company, or such additional number of shares, as the shareholders by any resolution passed at any annual general meeting, or special general meeting from time to time to determine.

9. No member or director of the company shall be liable ^{Limited liability} for the debts or liabilities of the company, to a greater amount than the whole amount of stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company.

10. The directors of the company for the time being, ^{Stock books.} may open or cause to be opened, stock books for the subscription of parties desirous of becoming shareholders in the capital stock in the said company, in such places as they shall think fit, and all parties so subscribing shall, if they have not already done so, pay ten per cent. on allotment, and the directors may from time to time make calls on such shares, payable at such times, in such amounts, at such places and in such manner as they shall from time to time determine.

11. A call shall be deemed to have been made at the ^{Calls, how made.} time when the resolution of the directors authorizing such call was passed, and if a shareholder fails to pay any call due from him before or on the day appointed for the payment thereof, he shall be liable to pay interest for the same at the rate of six per cent. per annum, from the day appointed for the payment to the time of actual payment thereof.

12. All notices of calls upon the shareholders shall be ^{Notices of calls.} given by mailing a notice of such calls, postage prepaid and registered, addressed to each shareholder liable to pay the same, at his post office address as recorded in the books of

the company, at least three weeks before the time appointed for the payment thereof.

Shares forfeited.

13. If, after such notice, as hereinbefore provided, any call made upon any share or shares is not paid within such time as may be limited in that behalf, the directors in their discretion, by a vote to that effect, duly recorded in their minutes, may, if such call is not paid within thirty days after the time so limited, summarily declare forfeited any shares whereon such payment is not made, and the same shall thereupon become the property of the company, and may be disposed of as the by-laws of the company may ordain; but notwithstanding such forfeiture the holder of such shares at the time of the forfeiture shall continue liable to the then creditors of the company for the full amount unpaid on such shares at the time of forfeiture, less any sums which may have been subsequently realized by the company in respect thereof.

Payment of calls enforced.

14. The company may, if they see fit, instead of declaring forfeited any share or shares, enforce payment of all calls and interest thereon by action in any competent court, and a certificate under their seal, and purporting to be signed by any officer of the company to the effect that the defendant is a shareholder, that such call or calls has or have been made, and that so much is due by him and unpaid thereon, shall be received as against the defendant in all courts as *prima facie* evidence to that effect.

Money due for calls deducted from dividends.

15. The directors may deduct from the dividends payable to any shareholder, all such sums of money as may be due from him to the company on account of calls or otherwise.

Votes of shareholders.

16. At all meetings of the shareholders each share shall entitle the holder to one vote, which may be given in person or proxy; but no one who is not a shareholder shall act as such proxy, and no shareholder shall be entitled either in person or by proxy to vote at any meeting upon any share or shares in respect to which any call is in arrear.

Vacancies.

17. When a vacancy occurs by the death or resignation of a director the vacancy shall be filled by the remaining directors at a subsequent meeting, appointing by resolution a director or directors in the place or stead of the director or directors so having died or resigned.

18. The directors may from time to time make, alter, ^{By-laws.} amend or repeal by-laws, rules or regulations, as they may deem necessary and proper for the management of the affairs of the company generally; but every such by-law and repeal, amendment, or re-enactment thereof, unless in the meantime confirmed at a general meeting of the company duly called for that purpose, shall only have force until the next annual meeting of the company, and in default of confirmation thereat shall at and from that time cease to have force. Provided always, that the directors or one fourth part in value of the shareholders of the company shall at all times have a right to call a special meeting thereof for the transaction of any business specified in such written requisition and notice as they may issue to that effect, and ten days' notice of every such special meeting shall be given by such notice being mailed postage prepaid and registered to each shareholder.

19. A notice or other document served by the company ^{Notices, how served.} on a member shall be taken to be served at the time when the registered letter containing it would be delivered in the ordinary course of post; to prove the fact and time of service it shall be sufficient to prove that such letter was properly addressed and registered, and was put in the post office, and the time that it was put in, and the time requisite for its delivery in the ordinary course of post.

20. No assignment or transfer of any shares shall be valid or effectual until such transfer is entered and registered in a book to be kept for that purpose by such officer, as the directors may from time to time designate. ^{Transfer of shares.}

21. The directors may decline to register any transfer ^{Shares not transferred in certain cases.} of shares belonging to any shareholder, who is indebted to the company.

22. The company shall at all times have an office at Blue ^{Office, where situated.} Mountain aforesaid, which shall be the legal domicile of the company, and notice of any change therein shall be advertised in the Royal Gazette, one issue, and may establish such offices and agencies as they may deem expedient.

23. The company shall have power to purchase, lease or ^{Power to acquire property.} otherwise acquire and hold all such real estate, easements and rights therein, as may from time to time be deemed requisite for the purposes of the company; and may also sell, lease or otherwise dispose of, and to mortgage, pledge or encumber such real estate or any part or parts thereof,

from time to time, and in such manner and on such terms as may be deemed expedient, and the directors may at their discretion, acquire real and personal property, including easements in real estate, patents, franchises and electrical instruments, telephone lines and equipments or other property, including poles and labor, and pay for them in the stock of the company, and the stock so issued shall be deemed fully paid up.

"Painting" and
"affixing."

24. The company shall paint or affix, and shall keep painted or affixed, its name, with the word "limited" after it, or forming part of said name, on the outside of every office or place in which the business of the company is carried on, in a conspicuous position, in letters easily legible, and shall have its name, with the word "limited" after it, or forming part of its name, mentioned in legible characters in all notices, advertisements, and other official publications of the company, and on all bills of exchange, promissory notes, cheques, orders for money or goods purporting to be drawn, made, signed, given or indorsed, by or on behalf of the company, and in all bills, invoices, receipts, letters and other writings used in the transaction of the business of the company, and the company shall be liable to a penalty of twenty dollars for every neglect or omission of the name of the company, with the word "limited" after it, or forming part of said name, in any of the above cases.

Company may
stop service in
certain cases.

25. If any person, firm or corporation supplied by the company with any telephonic instruments or any telephonic service, neglects to pay the rents, or charges due or payable to the company at any time when the same or any portion thereof shall become due, the company or any person acting under its authority, on giving three days' previous notice may stop the said electrical service by cutting off the service wires or conductors, and may recover the rent, rate or charge or the ratable proportion thereof due, owing, payable or accruing up to such time in any competent court, notwithstanding any contract to furnish for a longer time.

Workmen may
enter houses.

26. In any case where the company shall have cut off the conductors entering the premises of any subscriber and shall have stopped the telephonic service, the said company or its duly authorized agent or workmen, upon giving twenty-four hours' previous notice to the person in charge or the occupier thereof, may enter the house, building or premises between the hours of nine o'clock in the forenoon and four o'clock in the afternoon, making as little disturbance and causing as little inconvenience as possible, and

may remove and take away any wire, conductor or telephonic instrument or apparatus the property of or belonging to the said company, and any servant of the company duly authorized thereto may between the hours aforesaid enter into any house where any of its instruments, apparatus or wire may be for the purpose of renewing, repairing or making good such instruments, wire or apparatus used for the purpose of said telephonic service, without let or hindrance by the proprietor or occupier of said building.

27. No telephonic instrument, wire, apparatus or material of or belonging to the company supplied or placed upon the premises of any person, firm or corporation by the said company for the purposes of its said business, shall be subject to distress for rent of the premises where the same may be used, nor shall the same be taken in execution under any warrant or process for the collection of taxes against the person in whose possession the same may be or be subject to any mechanics' lien.

Instruments
not subject
to distress.

28. No person shall, without the authority of the company, break, molest, injure or destroy any instrument, wire, fuse or fitting, post, line, material or property of or belonging to the said company, or shall in any way obstruct, disturb or impede the action, operation or working of any line or instrument of the company, or in any way interfere with any workmen or employee of the company in the due execution of any duty authorized by the company or by the provisions of this Act. Any person moving a building or doing any other lawful thing which will require the temporary cutting or taking down the wires or poles of the company shall notify the company of their intention so to do. And if the company neglect or refuse to cut or remove such wires or poles in such manner as to permit such building to be removed, or other thing to be done within forty-eight hours after such notice, such person may cut or take down the company's wires or poles doing no unnecessary damage thereby.

Wires cut in
certain cases.

29. Every person who wilfully or maliciously violates the provisions of the next preceding sections of this Act shall for each offence, on conviction thereof, be liable to a penalty not exceeding forty dollars, or imprisonment not exceeding one month, or both, at the discretion of the justice or justices of the peace before whom the conviction is had.

Penalty for
destroying
property of
company.

Conductor not
to be laid.

30. No person shall lay or cause to be laid any conductor the communicator of which shall communicate with any conductor belonging to the company, or in any way obtain, utilize or use the wires or electric current or telephonic service of the said company without the consent thereto of the company.

Penalty.

31. Any persons who wilfully or maliciously violate the provisions of the last preceding section shall for each offence be liable to a penalty of one hundred dollars, and also a further sum of forty dollars for each day during which such communication remains, which penalty, together with the cost of suit in that behalf incurred, may be recovered on complaint of any officer or member of the company.

Penalties, how
collected.

32. The penalties imposed by the next preceding section of this Act may be collected and recovered under the provisions of chapter 161, Revised Statutes of Nova Scotia, 1900, "The Nova Scotia Summary Convictions Act."

Act, when in
operation.

33. This Act shall not go into operation until fifty per cent. of the capital stock is subscribed and twenty-five per cent. of the capital stock paid up.

CHAPTER 150.

An Act to amend Chapter 210 of the Acts of 1903, entitled,
"An Act to incorporate the Cumberland Telephone
Company, Limited."

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Section 4 amended.

SECTION

2. Power to increase capital.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 4
amended.

1. Section four of chapter 210 of the Acts of 1903, is amended by striking out of the tenth and eleventh lines of said section the words "in that part of Cumberland on the eastern side of the Intercolonial Railway provided," and substituting therefor the words "in the said county of Cumberland, provided such powers shall be exercised in any incorporated town in said county under the supervision and control of the council of such town and."

2. The said company shall have power to increase its ^{Power to increase capital.} capital stock from time to time, by the issue of new shares to any amount not exceeding sixty thousand dollars.

CHAPTER 151.

An Act to incorporate the Union Printing Company, Limited.

(Passed the 7th day of April, A. D., 1905.)


SECTION.

1. Incorporation.
2. Powers.
3. Capital.
4. General powers.
5. Limited liability.
6. Preferred shares.
7. General meeting.

SECTION.

8. Votes of shareholders.
9. Acting directors.
10. Directors not disqualified.
11. Power to borrow.
12. "Painting" and "affixing."
13. When Act shall cease.
14. When Act shall go into operation.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1.  Frederick W. Wickwire of Kentville, Kings county, ^{Incorporation.} William R. Potter of Canning, Kings county, and Thomas Lydiard of Kentville, Kings county, are hereby constituted a body corporate, by the name of the Union Printing Company, limited, with a common seal, and hereinafter called the company.

2. The company shall have power and authority to do ^{Powers.} any matter or thing necessary, incidental or conducive to carrying out any of the following objects or purposes for which it is created:

(a) The acquiring, owning, leasing, selling, printing or publishing of any daily, tri-weekly or weekly newspaper or newspapers, or any magazine, pamphlet or book, the establishment and carrying on of a general job printing and publishing business, with the power of holding, acquiring, leasing, owning and mortgaging such real and personal estate as may be necessary for the efficient conduct of such printing and publishing business.

(b) The acquiring, owning, leasing and selling of any patent rights or copyrights of or relating to any newspaper, book, pamphlet or magazine.

Capital.

3. The capital stock of the company shall be ten thousand dollars, divided into one thousand shares of ten dollars each.

General powers.

4. The company may sue and be sued, and possess power to make or become parties to promissory notes and bills of exchange, the name of the company to be subscribed thereto or indorsed thereon by such officer or officers of the company as the directors may from time to time determine.

Limited liability.

5. No member or director of the company shall be liable for the debts or liabilities of the company to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable to the amount unpaid on shares so held by him, for any debt or any contract of the company entered into before the date of such transfer so as any action in respect thereof shall be brought within six months after such transfer.

Preferred shares.

6. The company shall be entitled to issue preferred shares of the company, but such preferred shares shall not exceed fifty per cent. of the capital stock of the company; and the company may issue at par value thereof as fully paid up stock either common or preferred shares of the company, or both; and it may also upon such terms as the directors may deem for the interests of the company pay and allot such shares in payment of real or personal property, plant, machinery or materials of any kind. The issue, allotment or payment of such fully paid up stock by the directors of the company shall be binding upon the company, and shall not be assessable or subject to any calls for any purposes whatsoever, and the holders of said shares allotted or paid up as aforesaid shall not be subject to any personal liability whatever in respect thereof.

General meeting.

7. The first general meeting of the company shall be held at such time and place in the province of Nova Scotia as the above incorporators or any two of them shall determine, and of which due notice shall be given by mailing a written notice of such time and place, by registered letter, the address of each of the shareholders of the company, at which or at any subsequent meeting the company may be organized by the election of not less than three directors.

and of other necessary officers, and the shareholders present in person or by proxy shall have power to organize the company, establish by-laws, and elect all necessary officers. The first or any subsequent meeting may be adjourned from time to time by a majority of votes of subscribers or shareholders present.

8. At all meetings of the company each shareholder shall be entitled to one vote for each share then held by him. Such vote may be given in person or by proxy, the holder of such proxy being himself a shareholder; but no shareholder shall be entitled either in person or by proxy to vote at any meeting until he shall have paid all the calls upon shares held by him. Votes of shareholders

9. Until the first general meeting of the company the persons named in the first section for their duly constituted appointees, may open open books for subscriptions for shares and act as directors until a board is elected by the shareholders as herein provided. Acting directors.

10. No director shall be disqualified by his office from contracting with the company, nor shall any such contract or arrangement entered into by or on behalf of the company with any director of any company or partnership of or in which any director shall be a member, or otherwise interested, be voided; nor shall any director so contracting or being such member, or so interested, be liable to account to this company for any profit realized by such contract or arrangement by reason only of such director holding that office, or of the fiduciary relation thereby established, but no such director shall vote in respect of any such contract or arrangement, and the nature of his interest must be disclosed by him at the meeting of the board at which the contract or arrangement is determined on if his interest then exist, or in any other case at the first meeting of the board after the acquisition of his interest, and before such contract, arrangement or agreement is determined on. Directors not disqualified.

11. The company shall have authority to borrow such sum of money, not exceeding the amount of its subscribed capital, as the directors shall deem necessary for the carrying out of any purposes or objects of this Act, and for securing the payment of the money so borrowed with interest thereon the company may mortgage its real and personal property, its franchises, privileges and revenues. All bonds, debentures, or other securities granted for this purpose may be made payable to bearer or transferable by indorsement. Power to borrow

or otherwise; but no such bond or debenture shall be made for less sum than one hundred dollars

"Painting" and
"affixing."

12. The company shall paint or affix, and shall keep painted or affixed, its name with the word "limited" after it, or forming part of said name, on the outside of every office or place in which the business of the company is carried on, in a conspicuous position, in letters easy legible, and shall have its name, with the said word "limited" after it, or forming part of its name, mentioned in legible characters in all notices, advertisements, and other official publications of the company, and on all bills of exchange, promissory notes, cheques, orders for money or goods purporting to be drawn, made, signed, given or indorsed by or on behalf of the company, and in all bills, invoices, receipts, letters and other writings used in the transaction of the business of the company, and the company shall be liable to a penalty of twenty dollars for every neglect or omission of the name of the company with the word "limited" after it or forming part of said name, in any of the above cases.

When Act
shall cease.

13. This Act shall cease and determine unless the said company shall be organized within two years from the passage hereof, and actually engaged in business.

When Act
shall go into
operation.

14. This Act shall not go into operation until fifty per cent. of the capital stock is subscribed and twenty-five per cent. of such subscription is paid up in cash.

CHAPTER 152.

An Act to incorporate the Maritime Loan and Mortgage Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Provisional Directors.
3. Capital.
4. Head office.
5. General meeting.
6. Powers.
7. Security or collateral.
8. General powers.
9. Advances to corporation.
10. Conditions for benefit of company.
11. Amount to be loaned.
12. Power to borrow.

SECTION.

13. Bonds' register.
14. Cancelling debentures.
15. Preferred stock.
16. Reserve fund.
17. Directors.
18. Statement forwarded to Prov. Sec'y.
19. When company may commence business.
20. When Act shall cease.
21. Limited liability.
22. By-laws approved.

Be it enacted by the Governor, Council, and Assembly,
as follows:—

1. John C. Douglas, of Glace Bay, in the county of Cape Breton, solicitor; Frank R. A. Chipman, of Glace Bay, in county of Cape Breton, solicitor; Stewart McCawley, of Glace Bay, in the county of Cape Breton, broker, and such other persons as may become shareholders in the company hereby created, are hereby constituted a body corporate by the name of "The Maritime Loan and Mortgage Company, Limited," hereinafter called "the company."

2. The persons named in the first section of this Act shall be the first or provisional directors of the company.

3. The capital stock of the company shall be one hundred thousand dollars and shall be divided into ten thousand shares of ten dollars each.

4. The head office of the company shall be at Glace Bay, in the province of Nova Scotia or at such other place in Nova Scotia as the directors may from time to time determine by by-law, but the company may establish other offices and places of business in the province of Nova Scotia.

5. At the first general meeting of the company, and at each annual meeting, the holders of the capital stock present, or represented by proxy, who have paid all calls due on their shares, shall choose a number of its shareholders to be directors of the company.

Powers.

6. The company may carry on the business of lending money on the security of, or purchasing or investing in:—

(a) Mortgages upon freehold or leasehold real estate.

(b) The debentures, bonds, fully paid-up stocks and other securities of any government, or of any municipal corporation or school corporation, or any chartered bank or incorporated company, if incorporated by Canada or any province of Canada, or any former province, now forming part of Canada, but not including bills of exchange or promissory notes; provided that the loan upon the security of or the purchase or investment in the debentures, bonds, stocks or other securities of any company so incorporated shall not exceed one-fifth of the paid up capital of any such company, nor one-fifth of the paid up capital stock of the company; provided also that the company shall not invest in or lend money upon the security of the stocks of any other loan company.

Security or collateral.

7. The company may take personal security as collateral for any advance which the company has power to make, made or to be made, or contracted to be made by, or for any debt due to the company.

General powers.

8. The company is empowered to do all such other things as may be incidental or conducive to the attainments of the above objects.

Advances to corporation.

9. (1) The company may act as an agency association for the interest and on behalf of others who entrust it with money for that purpose, and may, either in the name of the company or of such others, lend and advance money to any person or municipality, or any board or body of trustees, or commissioners, upon such securities as are mentioned in section six of this Act, and may purchase and acquire any securities on which they are authorized to advance money, and again re-sell the same.

(2) The conditions and terms of such loans and advances, and of such purchases and re-sales, may be enforced by the company for its benefit, and for the benefit of the person or corporation for whom such money has been lent and advanced, or such purchase and re-sale made; and the company shall have the same power in respect of such loans, advances, purchases and sales as are conferred upon it in respect of loans, advances, purchases and sales made from its own capital.

(3) The company may, for every or any of the foregoing purposes, lay out and employ the capital and property, for the time being, of the company, or any part of the moneys authorized to be raised by the company in addition to its capital for the time being, or any moneys so entrusted to it as aforesaid, and may do, assent to and exercise all acts whatsoever which, in the opinion of the directors of the company for the time being, are requisite or expedient to be done in regard thereto.

10. The company may liquidate, and carry on for the purpose of such liquidation, the business within the province of Nova Scotia of any other company or companies carrying on any business which the company is authorized to carry on, upon such terms as may be agreed upon. Conditions for benefit of company.

11. The company may, subject to any limitation or prohibition imposed by its by-laws, lend upon its own paid-up stock to an amount not exceeding in the aggregate of all such loans twenty-five per cent. of the company's paid-up stock, but no such loan shall exceed eighty per cent. of the then current market value of such stock. Amount to be loaned.

12. The company may borrow money and receive money upon such terms as to interest, security, time of payment and otherwise as may be agreed on, and may issue its bonds, debentures and other securities on which they are authorized to advance money for moneys borrowed, provided that the money so borrowed or received on deposit shall not at any time exceed in the aggregate the paid-up capital of the company. Power to borrow.

13. The said bonds, debentures or other securities on which they are authorized to advance money, shall be entered by the company in a register to be kept for that purpose in the head office of the company, wherein shall be set forth the names and addresses of those from time to time entitled thereto, with the respective amounts of the said debentures to which they are respectively entitled, and the register shall be accessible for inspection and perusal at all reasonable times to every debenture holder, mortgagee, bondholder, debenture-stockholder and shareholder of the company without the payment of any fee or charge. Such debentures shall be transferable in such amounts and in such manner as the directors may determine. Bonds' register.

14. The directors, having issued debentures, may, from time to time, as they think fit, and for the interest of Cancelling debentures.

the company, buy up and cancel the debentures or any portion thereof.

Preferred stock.

15. (1) The directors of the company may make a by-law for creating and issuing any part of the capital stock, as preference stock, giving the same such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by the by-law.

(2) The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain stated proportion of the board of directors, or may give the said holders such control over the affairs of the company as may be considered expedient.

(3) No such by-law shall have any force or effect until it has been sanctioned either by the shareholders in writing or by a vote of the shareholders present or represented by proxy at a general meeting of the company duly called for considering it, such shareholders holding not less than two-thirds of the amount paid up upon the capital stock of the company.

(4) Holders of shares of such preference stock shall be shareholders within the meaning of this Act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this Act, provided, however, that in respect of dividends and otherwise they shall, as against the ordinary shareholders, be entitled to the preferences and rights given by each by-law.

(5) Nothing in this section contained or done in pursuance thereof shall affect or impair the rights of creditors of the company.

Reserve fund.

16 The directors may set aside out of the profits of the company, such sum as they think proper as a reserve fund to meet contingencies or for equalizing dividends, or for repairing, improving and maintaining any of the property of the company, and for such other purposes as the directors shall, in their absolute discretion, think conducive to the interests of the company and may invest the several sums so set aside upon such investments (other than shares of the company) as they may think fit, and may from time to time deal with and vary such investments and dispose of all or any part thereof for the benefit of the company, and may divide the reserve fund into such special funds as they think fit, with full power to employ the assets con-

stituting the reserve fund in the business of the company. Provided always, that the investment of the reserve fund shall be subject to the limitations contained in section 6 of this Act.

17. The business of the company shall be managed by ^{Directors.} the directors, who may affix the seal of the company, and may make or cause to be made for the company any description of contract which the company may by law enter into, and may exercise all such powers of the company as are not by this Act required to be exercised by the company in general meeting, and amongst other things may from time to time, exercise the following powers, the same being specifically referred to for greater certainty but not so as to restrict the generality of the foregoing terms of this section :—

(a) Issue debentures, bonds, deposit receipts and stock, and regulate the allotment of stock, the making of calls thereon, the payment thereof, the issue and regulation of certificates of stock and the transfer of stock.

(b) Declare and pay dividends.

(c) Determine the number of directors, their term of service, the amount of their stock qualification and their remuneration, if any.

(d) Delegate any of their powers to committees consisting of such member or members of their body as they think fit and any committee so formed shall, in the exercise of the powers so delegated, conform to any regulations that may be imposed on them by the directors.

(e) Appoint and remove all agents, officers and servants of the company, and provide for and determine their functions and duties, the security to be given by them to the company and their remuneration.

(f) Determine the time and place for the holding of the annual or any other meeting of the company, the calling of meetings, regular and special, of the board of directors and of the company, the quorum at meetings of the directors and of the company, the requirements as to votes and proxies, and the procedure in all things at such meetings.

(g) Provide for the imposition and recovery of all penalties and forfeitures admitting of regulation by by-law.

(h) Conduct in all other particulars the affairs of the company.

(i) Make by-laws for the regulation of business of the company, its officers and servants, or the members of the company.

Statement for-
warded to Pro-
vincial Sec'y.

18. The company shall, on or before the first day of February in each year, transmit to the Provincial Secretary a statement in duplicate to and including the thirty-first day of December of the previous year, verified by the oath of the president or vice-president and the manager, setting out the capital stock of the company and the proportion thereof paid up, the assets and liabilities of the company, the amount and nature of the investments made by the company, both on its own behalf and on behalf of others, and the average rate of interest derived therefrom, distinguishing the classes of securities and also the extent and value of the lands held by it, and such other details as to the nature and extent of the business of the company as the Provincial Secretary may require, and in such form, and with such details as he from time to time requires and prescribes.

When company
may commence
business.

19. The company may commence business whenever fifty per cent. of the capital is subscribed and fifty per cent. of its subscribed capital is paid up.

When Act
shall cease.

20. This Act shall cease and determine if operations under it are not commenced within two years from the date of its passing.

Limited liability.

21. No member or director of the company shall be liable for the debts or liabilities of the company to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company. But no shareholder who may have transferred his interest in the stock of the company shall cease to be liable for any contract of the company entered into before the date of such transfer, so as any action in respect thereof shall be brought within six months after such transfer.

By-laws
approved.

22. All by-laws which the company or its directors are authorized to pass under this Act, and every repeal, amendment or re-enactment thereof, shall be subject to the approval of the Governor-in-Council.

CHAPTER 153.

An Act to incorporate the Gazette Publishing Company,
Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Powers.
3. Purchase of Gazette Pub. Company.
4. Capital.
5. General powers.
6. Limited liability.
7. Preferred shares.
8. First meeting.

SECTION.

9. Votes of shareholders.
10. Provisional directors.
11. Directors not disqualified.
12. Power to borrow.
13. "Painting" and "affixing."
14. When Act shall cease.
15. When Act shall go into operation

Be it enacted by the Governor, Council, and Assembly,
as follows:—

1. John C. Douglas, Frank B. A. Chipman, James Han-^{Incorporation.}
way and Robert B. Viets, all of Glace Bay, in the county
of Cape Breton, and such other persons as are or as shall
hereafter become shareholders of the company hereby in-
corporated, are constituted a body corporate, by the name
of the "Gazette Publishing Company, Limited," with a
common seal, and hereafter called "the company."

2. The company shall have power and authority to do^{Powers.}
any matter or thing necessary, incidental or conducive to
carrying out any of the following objects or purposes for
which it is created:—

(a) To acquire, own, lease, sell, print or publish any
daily, tri-weekly or weekly newspaper, or any pamphlet,
magazine or book.

(b) To establish, carry on and conduct job printing,
publishing, lithographing, book binding and engraving
business.

(c) To act as advertising agents, and to print, publish
or distribute advertising matter of any and all kinds.

(d) To acquire, own, lease, and sell any patent rights or
copyrights of or relating to any directory, commercial list
or record, advertising matter, newspaper, book, pamphlet
or magazine.

(e) To acquire, lease, own, sell and mortgage such real and personal estate as may be necessary for the efficient conduct of the above business.

(f) To do all such other things as are incidental or conducive to the attainment of the above objects.

Purchase of
Gazette Publish-
ing Company.

3. The company is given power to purchase for cash, bonds or stock, all or any part of the undertaking, business, franchises, rights and property of the Gazette Publishing Company, and any undertaking or business of a similar character to those which this company may carry on under its charter from any person, firm, or corporation, and the Gazette Publishing Company, Limited, is hereby empowered by a two-thirds vote of its stockholders, represented in person or by proxy, at a general or at a special meeting called for that purpose, to sell all or any part of its undertaking, business, franchises and property to this company.

Capital.

4. The capital stock of the company shall be thirty thousand dollars, divided into six thousand shares of five dollars each.

General powers.

5. The company may sue and be sued, and possess power to make or become parties to promissory notes and bills of exchange, the name of the company to be subscribed thereto or endorsed thereon by such officer or officers of the company as the directors may from time to time determine.

Limited liability.

6. No member or director of the company shall be liable for the debts or liabilities of the company to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company, but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable to the amount unpaid on shares so held by him for any debt or any contract of the company, entered into before the date of such transfer, so as any action in respect thereof shall be brought within six months after such transfer.

Preferred shares.

7. The company shall be entitled to issue as part of its capital stock, preferred shares of the company, but such preferred shares shall not exceed fifty per cent. of the capital stock of the company; and the company may issue

at par value thereof as fully paid up stock, either common or preferred shares of the company, or both; and it may also upon such terms as the directors may deem for the interest of the company, pay and allot such shares in payment of real or personal property, plant, machinery, or materials of any kind. The issue, allotment or payment of such fully paid up stock by the directors of the company, shall be binding upon the company, and shall not be assessable or subject to any call for any purpose whatsoever, and the holders of said shares, allotted or paid as aforesaid, shall not be subject to any personal liability whatever in respect thereof.

8. The first meeting of the company shall be held at ^{First meeting.} such time and place in the province of Nova Scotia as the above corporators or any two of them shall determine, and of which at least ten day's notice shall be given by mailing a written notice of such time and place, by registered letter, to the address of each of the shareholders of the company, at which or at any subsequent meeting the company may be organized by the election of not less than three directors, and of other necessary officers, and the shareholders present in person or by proxy shall have power to organize the company, establish by-laws, and elect all necessary officers. The first, or any subsequent meeting, may be adjourned from time to time by a majority of votes of subscribers or shareholders present.

9. At all meetings of the company each shareholder ^{Votes of shares.} shall be entitled to one vote for each share then held by him. Such vote may be given in person or by proxy, the holder of such proxy being himself a shareholder, but no shareholder shall be entitled either in person or by proxy to vote at any meeting until he shall have paid all the calls upon shares held by him.

10. Until the first general meeting of the company the ^{Provisional directors.} persons named in the first section, or their duly constituted appointees, may open books for subscriptions for shares, and act as directors until a board is elected by the shareholders as herein provided.

11. No director shall be disqualified by his office from ^{Directors not disqualified.} contracting with the company, nor shall any other contract or arrangement entered into by or on behalf of the company with any director of the company or partnership of or in which any director shall be a member, or otherwise interested, be voided; nor shall any director so contracting

or being such member, or so interested, be liable to account to this company for any profit realized by such contract or arrangement by reason only of such director holding that office, or of the fiduciary relation thereby established, but no such director shall vote in respect of any such contract or arrangement, and the nature of his interest must be disclosed by him at the meeting of the board at which the contract or arrangement is determined on if his interest then exist, or in any other case at the first meeting of the board after the acquisition of his interest, and before such contract, arrangement or agreement is determined on.

Power to borrow.

12. The company shall have authority to borrow such sum of money, not exceeding the amount of its subscribed capital, as the directors shall deem necessary for carrying out any of the purposes or objects of this Act, and for securing the payment of the money so borrowed with interest thereon, the company may mortgage its real and personal property, its franchises, privileges, and revenues. All bonds, debentures, or other securities granted for this purpose may be made payable to bearer or transferable by indorsement or otherwise; but no such bond or debenture shall be made for a less sum than one hundred dollars.

Painting and affixing.

13. The company shall paint or affix, and shall keep painted or affixed, its name with the word "limited" after it or forming part of said name, on the outside of every office or place in which the business of the company is carried on, in a conspicuous position, in letters easily legible, and shall have its name, with the said word "limited" after it, or forming part of its name, mentioned in legible characters in all notices, advertisements, and other official publications of the company; and on all bills of exchange, promissory notes, cheques, orders for money or goods purporting to be drawn, made, signed, given or indorsed by or on behalf of the company, and in all bills, invoices, receipts, letters and other writings used in the transaction of the business of the company, and the company shall be liable to a penalty of twenty dollars for every neglect or omission of the name of the company with the word "limited" after it, or forming part of said name, in any of the above cases.

When Act shall cease.

14. This Act shall cease and determine unless the said company shall be organized within two years from the passage hereof, and actually engaged in business.

15. This Act shall not go into operation until fifty per cent. of the capital stock is subscribed, and fifty per cent. of such subscription is paid up in cash. ^{When Act shall go into operation.}

16. The head office of the company shall be at Glace Bay in the county of Cape Breton.

CHAPTER 154.

An Act to incorporate the Cape Breton Stock Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. General powers.
4. May do business outside the province.
5. Head office.
6. Capital.
7. Board of directors.
8. Paid up stock.
9. Limited liability.
10. First meeting.
11. Transfer of shares.
12. By-laws.

SECTION.

13. Provisional directors.
14. Meeting of shareholders.
15. Negotiable paper.
16. May lend money.
17. When operations may be commenced.
18. "Painting" and "affixing."
19. Reserve fund.
20. Deeds and mortgages
21. Aliens.
22. Bonds and debentures
23. When Act shall cease.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Ernest E. Bissett, of Port Morien, physician; T. Incorporation, Dominic McNeil, of Port Morien, and George B. Burchell, of Port Morien, mine manager, and such other persons as they may in writing associate with them, their successors and assigns, and such other persons as may become shareholders in the company hereby incorporated, are hereby constituted a body corporate by the name of "Cape Breton Stock Company, Limited," hereinafter referred to as "the company."

2. The objects and powers of the company shall be as Objects, follows:

- (a) To carry on the business of stock raising and farming, canning of meats and fish, tanning of leather and manufacture of woolen goods.
- (b) To carry on the business of retail and wholesale butchers.

- (c) To carry on the business of fish merchants, buying, selling and exporting fish.
- (d) For the purposes of the company to carry on the business of transportation by steamship or otherwise.
- (e) To purchase, take, lease, or otherwise acquire, hold, enjoy and convey any property whether real, personal or mixed, requisite for carrying on the undertakings of the company or deemed so to be.
- (f) To construct, erect, purchase, lease, hire or otherwise acquire any warehouses, buildings or tenements, and own, occupy, use, let, lease, sell, convey or dispose of the same for the purposes of the company.
- (g) To acquire the good will of any business within the objects of the company, and any lands, privileges, rights and contracts appertaining to the same, and in connection with any such purchase to undertake the liabilities of the company, association or person.
- (h) To sell or otherwise dispose of the whole or any branch or part of the business or property of the company.
- (i) To purchase, acquire and hold, letters patent of invention and patent rights of all kinds, and either to sell and dispose of the same or of any rights thereunder, or to manufacture and sell the goods, commodities and articles covered by any such letters patent so acquired.
- (j) To acquire by original subscription or otherwise, and to hold, sell, mortgage or otherwise to dispose of shares, whether common or preferred, debentures, debenture bonds, stocks and other obligations of any company carrying on, or formed for carrying on, any trade or business within the objects of the company.
- (k) To purchase, lease, or otherwise acquire, hold and enjoy all the property, franchises, rights and privileges held and enjoyed by any other com-

pany or companies carrying on any business similar to that which this company is authorized to carry on under the provisions of its charter or other authority.

(l) To enter into any contract of purchase or sale within the objects and powers of the company or in connection with its business or property.

(m) To acquire, manufacture, buy, sell, dispose of and consign to agents for sale and deal in all kinds of goods, chattels and merchandise, as the company shall see fit, and to engage in and carry on such business as is usually engaged in by manufacturers, merchants, commission merchants, dealers and traders.

3. The said company shall have power and authority to General powers. do any act, matter or thing necessary to carry out any of the above objects, or incidental or conducive to the same, subject, however, to the laws of the province.

4. The company is authorized to establish branches, May do business outside the province. depots or agencies, and to transact any business necessary and incidental to any of its purposes or objects, either in or out of the province.

5. The head office of the company shall be at such place Head office. within the province of Nova Scotia as the directors may decide or may be fixed by by-law of the company.

6. The capital stock of the company shall be twenty Capital. thousand dollars, divided into four hundred shares of fifty dollars each.

7. The general administration of the affairs of the company is vested in the board of directors, which shall consist of not less than three nor more than seven members of the company. If at any time an election of directors be not made or does not take effect at the time fixed by the by-laws of the company, the company shall not thereby be dissolved, but such election may take place at any special general meeting of the company duly called for that purpose, and the retiring directors shall continue in office until their successors are elected. A majority of the board of directors shall form a quorum. Vacancies caused by death or resignation shall be filled by the other directors until the next annual meeting. Board of directors.

Paid up stock.

8. The company may issue as fully paid up stock, shares of the company, and may, upon such terms as the directors may deem for the interests of the company, pay and allot such shares in payment for lands, buildings, works, machinery, goods, chattels, merchandise, good will and other property or rights, and also may, on such terms as the directors deem for the interests of the company, allot and pay over such fully paid up shares in full or partial payment for the purchase, lease or other acquisition of any property which the company is hereby authorized to acquire, construct, operate or own, or in payment of the shares, bonds or other obligations of other companies which the company is hereby authorized to acquire. The issue, allotment or payment of such fully paid up stock by the directors of the company shall be binding upon the company and shall make the same fully paid up stock, and the same shall not be assessable or subject to any calls for any purposes whatsoever; and the holders of said stock allotted or paid as aforesaid shall not be subject to any personal liability whatsoever in respect thereto.

Limited liability.

9. No member or director of the company shall be liable for the debts or liabilities of the company to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable to the amount unpaid on shares so held by him, for any debt or any contract of the company entered into before the date of such transfer so as any action in respect thereof shall be brought within six months after such transfer.

First meeting.

10. The first meeting of the company shall be held at such time and place as the provisional directors determine, notice of such meeting to be given by mailing a notice, postage prepaid and registered, to each shareholder at least five days before such meeting; and subsequent meetings shall be held at such time and place as the company may determine by by-laws or otherwise, notices of any such subsequent meetings being given by mailing a notice, postage prepaid and registered, to each shareholder at least ten days before said meeting.

Transfer of shares.

11. No transfer of any shares which are not fully paid up shall be made without the consent of the directors to

such transfer having first been given, and no transfer of stock shall at any time be made until all calls thereon have been paid in. The transfer of shares in the company shall be valid and effectual only from the time such transfer is made and entered in the books of the company.

12. The company shall have power to make by-laws not ^{By-laws.} inconsistent with this Act or the laws of the province, and shall also have the power to repeal and modify the same, and the directors may from time to time as circumstances require, repeal, amend, and re-enact such by-laws; but such by-laws, and every repeal and amendment or re-enactment thereof, unless in the meantime confirmed by a general meeting of the company called for the purpose, shall only have force until the next annual meeting of the company, and in default of confirmation thereat shall at and from that time only cease to have force, but all such by-laws and every repeal, amendment or re-enactment thereof, shall be subject to the approval of the Governor-in-Council.

13. The persons named in the first section of this Act ^{Provisional directors.} together with such persons as they may by deed in writing associate with them, shall be provisional directors of the company, and until such first meeting of the company said provisional directors shall have power to open a stock subscription list and to assign and allot stock of the company, and have and exercise all the powers of ordinary directors of the company under the provisions of this Act.

14. The annual general meeting of the shareholders and ^{Meeting of shareholders.} all other meetings of shareholders or directors, shall be held at such times and at such places within the province of Nova Scotia, as are appointed by the by-laws of the company.

15. The company may make, draw, accept or indorse ^{Negotiable paper.} promissory notes, bills of exchange, cheques, warehouse receipts, bills of lading, securities under the Bank Act, and other negotiable papers or securities, the name of the company to be signed thereto or thereon by such officer or agent of the company, as the directors from time to time authorize in that behalf, and in no case shall it be necessary to have the seal of the company affixed to such promissory notes, bills of exchange or negotiable paper or security.

16. The company may, for the purposes of and incidental ^{May lend money.} to the carrying on of its business, lend and advance money to such persons and on such terms as seems expedient.

When operations
may be com-
menced.

17. The company may commence business whenever twenty-five per cent. of its capital is subscribed and twenty-five per cent. of the capital stock is paid up.

"Painting" and
"affixing."

18. The company shall paint or affix, and shall keep painted or affixed, its name with the word "limited" after it or forming part of said name on the outside of every office or place in which the business of the company is carried on in a conspicuous position in letters easily legible, and shall have its name with the word "limited" after it or forming part of its name mentioned in legible characters in all notices, advertisements and other official publications of the company, and on bills of exchange, promissory notes, cheques, orders for money or goods, purporting to be drawn, made, signed, given or indorsed by or on behalf of the company, and in all bills, invoices, receipts, letters and other writings used in the transaction of the business of the company, and the company shall be liable to a penalty of twenty dollars for every neglect or omission of the name of the company with the word "limited" after it or forming part of said name in any of the above cases.

Reserve fund.

19. The directors before recommending any dividend may set aside out of the profits of the company such sum as they think proper as a reserve fund to meet contingencies or for equalizing dividends, and the directors may invest the sums so set apart as a reserve fund upon such securities as they select.

Deeds and
mortgages

20. The said company shall have power and authority by its proper officers, to make and execute any bond, covenant or agreement necessary to secure any loan or advance made to the company in respect to its business; and also shall have the power and authority, through its proper officers, to make and execute any deed or mortgage of real or personal estate, containing the usual covenants contained in such documents.

Aliens.

21. Aliens, whether resident within the province or elsewhere, as well as British subjects, may be shareholders, directors or officers of the company, and shall be entitled equally with British subjects to all rights as such shareholders, directors or officers, and any alien or foreign or domestic corporation who is or may be holders of any bonds, shares or debentures of the company shall for all purposes have the same rights, privileges and powers in respect thereto as if they were British subjects.

22. (1) For any or all of the purposes of the company the company is hereby empowered from time to time under the authority of a majority vote of those shares, which are represented in person or by proxy, at a meeting called for that purpose, or at any annual meeting of the company, to issue at one or more times or in one or more series, its bonds or debentures under its seal, and signed by its president or other authorized officer, and countersigned by its treasurer or secretary; and such bonds and debentures may be made payable at such times and in such places in Nova Scotia or elsewhere, and bear interest at such rate per annum, and such bonds and debentures may be subject to such conditions as the company may at such meeting decide. Any foreign corporation or trust company may act as trustee under said mortgage or deed of trust.

Bonds and
debentures.

(2) Such bonds or debentures shall not be issued for an amount exceeding the issued capital stock of the company.

(3) The directors of the company may pledge or sell upon the best terms they may be able to obtain any such bonds or debentures.

(4) The company may from time to time secure any of the bonds or debentures of the company by a mortgage or deed of trust of all or any portion of its property, whether real, personal or mixed, and including any revenue or tolls, any stock, shares or securities of other companies, powers, rights and franchises (including the franchise of being a corporation) whether owned or enjoyed by it at the date of such mortgage or deed of trust, or thereafter acquired. And the legal title to all property acquired subsequently to the date of said mortgage or deed of trust which purports to be covered by said mortgage or deed of trust shall vest in said trustee or trustees for the bondholders or debenture holders as soon as the same is acquired or owned by the said company.

(5) The company may in and by any such mortgage or deed of trust confer upon the holders of such bonds or debentures or the trustee or trustees under such mortgage or deed of trust, for their benefit, such powers, rights and remedies as may be deemed desirable in order to enable the holders of said bonds or debentures, or such trustee or trustees in their behalf, to obtain the possession and enjoyment of and title to such property, or to obtain the value thereof by sale or otherwise, in case of default by the com-

pany in the performance of the conditions of said mortgage or deed of trust; and the holders of such bonds or debentures, or any person claiming by, through or under them, or any purchaser from said trustee or trustees, in case they shall take possession of said property under the provisions of said mortgage or deed of trust, may organize themselves into a corporation in the manner provided in this Act for the organization of the company, and the provisions of this Act or any Act in addition hereto or in amendment hereof, shall apply to such corporation and its members and such corporation shall be entitled to have and enjoy the powers, privileges and franchises conferred upon the company by this Act or any Act in addition hereto or in amendment hereof.

(6) The holders of said bonds or debentures whether they shall organize themselves into a corporation, as herein provided or not, or said trustee or trustees or any person or corporations claiming by, through or under them, shall in case they take possession of said property under the provisions of said mortgage or deed of trust, be entitled to hold, own and enjoy the same as fully and effectually as did the company theretofore and they shall be entitled to hold and enjoy all the powers, rights, privileges, franchises and exemptions in reference thereto which were held and enjoyed by the company, whether under letters patent, or lease from, or contract with the crown or under this Act or any Act in amendment hereof, or any special or general law in force in the province of Nova Scotia or otherwise.

(7) The company may, in and by said mortgage or deed of trust, provide for a periodical payment to said trustee or trustees of such sum as they may determine, which sum with all accumulations thereon shall constitute a sinking fund, to be applied in such manner as shall be stipulated in said mortgage or deed of trust.

When Act
shall cease.

23. This Act shall cease and determine if operations under it are not commenced within two years from the date of its passing.

CHAPTER 155.

An Act to incorporate the Stillman Mineral Springs Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. General powers.
4. Capital.
5. Limited liability.
6. Annual general meeting.
7. Seal of company not necessary on contents.
8. Board of directors.
9. Provisional directors.
10. By-laws.

SECTION

11. Votes of shareholders.
12. Qualifications of directors.
13. Paid up stock.
14. Agreements with other companies.
15. "Painting" and "affixing."
16. May take stock of other companies.
17. Directors not disqualified.
18. Head office.
19. When company may commence operations.
20. When Act shall cease.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Robert H. MacKay, jeweller; John D. McKean and Charles R. McKean, tailors; all of Westville, in the county of Pictou and Province of Nova Scotia, and such other persons as now are or shall hereafter become shareholders in the corporation hereby created, are hereby constituted a body corporate by the name of "The Stillman Mineral Springs Company, Limited," hereinafter called "the company."

2. The objects of the company shall be:—

Objects.

- (a) To manufacture, buy, sell, deal in, distribute, store, warehouse, import and export aerated, carbonated and natural mineral waters of all kinds and descriptions, and any of its branches, also ginger ale and all kinds of other unintoxicating drinks, the sale of which is not prohibited by "The Liquor License Act."
- (b) To carry on and deal in, manufacture in all its branches, aerated, carbonated and natural mineral waters and other drinks, and to generally carry on the business of coopers, bottlers, bottle-makers, bottle-stop makers, potters, and to buy and sell and otherwise dispose of the same.
- (c) To purchase, lease, or otherwise acquire mineral springs, land, and plant, buildings, works, factories, mills and other undertakings for the

purposes of the company or connected therewith, or necessary or expedient for any of the purposes of the company, or incidental thereto.

- (d) To purchase, acquire, hold, use, sell, transfer and dispose of personal property of all kinds, machinery, patents and trade-marks in connection with the business of the company, and to lease, mortgage, purchase, acquire, transfer and dispose of or otherwise deal with all or any of the property, real or personal, powers, privileges and franchises of the company.
- (e) For any of the above purposes, to purchase, acquire, hold, sell, lease or otherwise dispose of lands; and generally to do all matters and things necessary to the said several purposes and objects.
- (f) To lease, purchase, construct, maintain, or otherwise acquire and operate hotels, sanatoria, land, buildings, machinery, and other property, real and personal, as may be necessary for the several purposes of the company.

General powers.

3. The company shall have power and authority to do any and all matters and things necessary to carry out any of the above objects or incidental or conducive to the same, subject, however, to the laws of the province.

Capital.

4. The capital stock of the company shall be twenty-five thousand dollars, divided into twenty-five hundred shares of ten dollars each, with power to increase the same from time to time, to any amount not exceeding thirty-five thousand dollars, upon a vote of a majority of the shareholders represented in person or by proxy at a special meeting called for that purpose, or at any general meeting of the company.

Limited liability.

5. No member or director of the company shall be liable for the debts or liabilities of the company to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable to the amount unpaid on shares so held by

him for any debt or on any contract of the company entered into before the date of such transfer, so as any action in respect thereof shall be brought within six months after such transfer.

6. The annual general meeting of the shareholders, and all other meetings of the shareholders or directors, shall be held at such times and at such places, within or without the province, as are appointed by the by-laws of the company. Annual general meeting.

7. It shall not be necessary to affix the seal of the company to any of its acts or contracts except its conveyances and mortgages of lands, bonds and stockholders' certificates. Seal of company not necessary on contents.

8. The general administration of the affairs of the company shall be vested in a board of directors, who shall have the power to fill all vacancies. A majority of the directors shall constitute a quorum for the transaction of business, and the directors shall have power to appoint a manager and such officers and servants as they deem necessary in carrying on the business of the company. Board of directors.

9. The persons named in the first section of this Act and such persons as they in writing may associate with them, are constituted provisional directors of company, a majority of whom shall form a quorum. The provisional directors shall hold office as such until the first annual meeting, which may be called at such time and place in the county of Pictou, and upon such reasonable notice as they determine, and until such meeting said provisional directors shall have power to open a stock subscription list and to assign and allot stock of said company, and have and exercise all the powers of ordinary directors of the company under the provisions of this Act. Until otherwise ordered by by-law or resolution of the provisional directors, any two of them may call meetings of the provisional directors at such times as they may determine; provided that notice in writing, of the date and place of holding any such meeting shall be mailed by registered letter to the address of the other provisional director not less than ten days previous to the date of such meeting. Vacancies caused by death or resignation shall be filled by the other directors until the next annual meeting. Provisional directors.

10. The company shall have power to make by-laws not inconsistent with this Act or the laws of the province, and also shall have the power to repeal and modify the same, By laws.

and the directors may from time to time as circumstances require, make, repeal, amend, or re-enact such by-laws; but such by-laws, and every repeal and amendment or re-enactment thereof, unless in the meantime confirmed by a general meeting of the company called for the purpose, shall only have force until the next annual meeting of the company, and in default of confirmation thereat shall at and from that time only cease to have force, but all such by-laws and every repeal, amendment or re-enactment thereof, shall be subject to the approval of the Governor-in-Council.

Votes of
shareholders.

11. At all general meetings of the company every shareholder shall be entitled to as many votes as he owns shares in the company, and may vote by proxy; provided always, that the said proxy shall be a shareholder in the company.

Qualifications
of directors.

12. No member shall be eligible as a director unless he holds ten shares in the capital stock of the company hereby incorporated. All directors shall be elected to serve from the time of election until the next annual meeting, but in the event of death or removal of any director, the remaining directors may choose one from among the stockholders eligible for election to fill the place until the next annual meeting.

Paid up stock.

13. The company may issue as fully paid up capital stock of the company, and may, upon such terms as the directors deem for the interests of the company, pay and allot such shares in payment of lands, rights of way, plant, water powers and privileges, and all kinds of real and personal property or materials of any kind; and also may, on such terms as the directors deem for the interests of the company, pay and allot such fully paid up shares in payment for services of or work done by contractors, engineers, solicitors and other persons who may have been or may be engaged in promoting the undertaking or work of the company; and may upon such terms as the directors deem for the interests of the company, allot and pay over such fully paid up shares in whole or in partial payments for the purchase, lease or other acquisition of any or all kinds of property, both real and personal, and water powers and privileges, lands, and any other real or personal property which the company is hereby authorized to acquire, construct, operate or own, or in payment of the shares or other obligations of other companies which the company is hereby authorized to acquire. The issue, allotment or payment of such fully paid up stock by directors of the company shall be binding upon the company and shall make

the same fully paid up stock, and the same shall not be assessable or subject to any calls for any purposes whatsoever; and the holders of said stock allotted or paid as aforesaid shall not be subject to any personal liability whatsoever in respect thereof.

14. It shall be lawful for the company to enter into agreements with other companies, corporate or incorporate, individuals, associations or governments, to purchase, lease or in any manner acquire any and all property, easements, rights and privileges, which the directors deem to be to the interest of the company to acquire, and to build, construct, equip, maintain and operate the whole or any part of the company's buildings or works, and the company is hereby authorized to issue, upon such terms as the directors may deem in the interests of the company, fully paid up shares in settlement of or representing the whole or part of the cost of such purchase, leasing, acquisition, building, construction, equipping, maintaining or operating above referred to. Agreements with other companies.

15. The company shall paint or affix, and shall keep painted or affixed, its name with the word "limited" after it, or forming part of said name, on the outside of every office or place in which the business of the company is carried on, in a conspicuous position, in letters easy legible, and shall have its name, with the word "limited" after it, or forming part of its name, mentioned in legible characters in all notices, advertisements, and other official publications of the company, and on all bills of exchange, promissory notes, cheques, orders for money or goods purporting to be drawn, made, signed, given or indorsed by or on behalf of the company, and in all bills, invoices, receipts, letters and other writings used in the transaction of the business of the company, and the company shall be liable to a penalty of twenty dollars for every neglect or omission of the name of the company with the word "limited" after it or forming part of said name, in any of the above cases. "Painting" and "affixing."

16. In payment of stock subscribed for, or any call thereon, the company may receive any property, franchises, rights, privileges, or stock in any other company, at such valuation and on such conditions as the owners or holders thereof and the directors of the company agree upon, and such payments shall be equivalent to and have the effect of payment in cash. May take stock of other companies.

Directors not
disqualified.

17. No director shall be disqualified by his office from contracting with the company, nor shall any such contract or arrangement entered into by or on behalf of the company with any director or any company or partnership of or in which any director shall be a member, or otherwise interested, be voided ; nor shall any director so contracting or being such member, or so interested, be liable to account to this company for any profit realized by such contract or arrangement by reason only of such director holding that office, or of the fiduciary relation thereby established, but no such director shall vote in respect of any such contract or arrangement, and the nature of his interest must be disclosed by him at the meeting of the board at which the contract or arrangement is determined, if his interest then exist, or in any other case at the first meeting of the board after the acquisition of his interest.

Head office.

18. The head office of the company shall be at Westville, in the county of Pictou.

When company
may commence
operations.

19. The company shall not commence operations until twenty per cent. of its capital is subscribed and paid up in cash.

When Act
shall cease.

20. This Act shall cease and determine unless the said company shall be organized within two years from the passage hereof and actually engaged in business.

CHAPTER 156.

An Act to exempt the Humphrey's Glass Company from Taxation.

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Exemption from taxation.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Exemption
from taxation.

1. The municipality of the county of Pictou is authorized and empowered to exempt from taxation for a period not exceeding fifteen years, all real estate, buildings, plant and machinery of the Humphrey's Glass Company at.

Trenton used for manufacturing purposes, so long as said company carries on its glass manufacturing operations effectively.

CHAPTER 157.

An Act relating to the Assessment of the Truro Knitting Mills Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Property exempt.
2. Exemption, when removed.

SECTION.

3. Period of exemption.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The real and personal property, tools, plant, machinery and stock in trade of "The Truro Knitting Mills Company, Limited," in the town of Truro shall be assessed and rated for the purposes of taxation at a sum not to exceed thirty thousand dollars during ten years, such assessment and rating to commence with the assessment next to be made within the town of Truro after the passing of this Act. Provided, that all real estate hereafter purchased by said company within the town and used solely in connection with its manufacturing business or the sale and distribution of its manufactured product, shall, during said term of ten years, be assessed and rated at a sum not to exceed the sum at which said real estate is assessed at the time of the purchase thereof by the said company.

Property
exempt.

2. In case any of the property mentioned in this Act is not used or shall cease to be used by said company for one year as and for a manufacturing establishment, then such property shall be assessed at its actual value in the same way as other real and personal property so assessed in said town.

Exemption
when removed.

3. This Act shall cease and determine in ten years from the date of its passage.

Period of
exemption.

CHAPTER 158.

An Act to amend Chapter 146, Acts of 1891, entitled, "An Act to incorporate Rhodes, Curry & Company, Limited."

(Passed the 7th day of April, A. D. 1905.)

SECTION.
1. Section 4 amended.

SECTION.
2. Endorsement of bonds ratified.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 4
amended.

1. Section 4 of chapter 146 of the Acts of 1891, entitled, "An Act to incorporate Rhodes, Curry & Company, Limited," is hereby repealed, and the following substituted therefor, "the company may subscribe for, take, hold and dispose of shares in any other corporation organized or to be organized, and the company is authorized through such agents as the board of directors may appoint, to vote as a stockholder in relation to the shares so held by the company in such corporation, and such corporation is hereby empowered to accept such agents' vote and recognize the same."

Endorsement
of bonds ratified.

2. The endorsement by the company of 676 first mortgage gold bonds of the Canada Rolling Stock Company, Limited, bearing date December 10th, 1904, to the value of \$338,000, is hereby ratified, confirmed and declared to be binding upon the company.

CHAPTER 159.

An Act to amend Chapter 191, Acts of 1903, entitled, "An Act to incorporate the South Sea Sealing Company, Limited."

(Passed the 7th day of April, A. D., 1905.)

SECTION.
1. Name changed.
2. Section 2 amended.

SECTION.
3. Capital.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The name of the South Sea Sealing Company, ^{Name changed.}
Limited, incorporated by chapter 191 of the Acts of 1903, ^{Section 2 amended.}
is changed to "The Pacific Whaling Company, Limited,"
and the words "The South Sea Sealing Company, Limited,"
are struck out of section 1 of said chapter and the words
"The Pacific Whaling Company, Limited," substituted
therefor.

2. Chapter 191 of the Acts of 1903 is further amended, ^{Capital.}
as follows:—

(a) Section 2, sub-section (c), by inserting between the
word "breed" and the word "seals" in the first line thereof,
the word "whales," and by inserting between the word
"fish" and the word "of" in the third line thereof, the
words "and marine animals."

(b) Section 2, sub-section (d), by inserting between the
word "seal" and the word "hunting" in third line thereof,
the words "and whale."

(c) Section 2, sub-section (h), by inserting between the
word "seal" and the word "hunting" in the second line
thereof, the words "and whale."

(d) Section 2, sub-section (l), by inserting between the
word "seal" and the word "fishery" in the third line
thereof, the words "and whale."

(e) Section 3 is repealed and the following substituted
therefor:—

"3. The capital stock of the company shall be two
hundred thousand dollars divided into four thousand shares
of fifty dollars each."

(f) Section 15 by striking out the words "Nova Scotia"
in the second line thereof, and substituting therefor the
words "the Dominion of Canada."

(g) Section 20 by striking out the word "two" in the
second line thereof, and substituting therefor the word
"three."

CHAPTER 160.

An Act to incorporate The Old English Fertilizers Company, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation,
2. Objects.
3. General powers.
4. Capital.
5. Issue of shares may be reserved.
6. Company may take property for shares.
7. Board of directors.
8. Provisional directors.
9. Organization not to lapse by reason of failure to appoint officers.
10. By-laws.
11. Votes of shareholders.
12. How stock to be disposed of.
13. Lien on stock for non-payment.
14. Aliens.

SECTION.

15. Manager.
16. Agreements with other corporations.
17. Negotiable paper.
18. Limited liability.
19. Paid up shares.
20. Bonds and debentures issued.
21. Bonds, how secured.
22. Seal not to be affixed to bonds.
23. Business outside the Province.
24. Reserve fund.
25. Further powers.
26. "Fainting" and "affixing."
27. Head office.
28. When Act shall cease.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Incorporation.

1. William W. Black, Hereford Stock Farm, Amherst, N. S.; M. M. Sterne, director of Minudie Coal Mines, Amherst, N. S.; A. D. Ross, editor, Amherst, N. S.; J. Percival Atherton, lumber merchant, Amherst, N. S.; J. Q. Read, master mariner, North Wallace, N. S., and such other persons as they in writing may associate with them, their successors, associates and assigns and such other persons who may become share or stock holders in the company hereby created, are constituted a body corporate under the name of "The Old English Fertilizers Company, Limited," hereinafter called "the company."

Objects.

2. The objects for which the company is established are :—

(a) To search and prospect for, to quarry, mine, work, win, manufacture and prepare for use and sale by any process, and carry, move, sell, ship and deal in gypsum, plaster-of-paris, lime, limestone, building stone and other minerals and metals, clays, sand and mineral substances, and wood of all descriptions in any place, places or districts, and to transact all business connected therewith.

(b) To manufacture sulphuric acid and any other by-products or other acids incidental to, or in relation therewith, and to buy, get and prepare phosphate of lime and any

other fertilizing minerals. To manufacture superphosphates of lime and any other mineral, artificial or mixed manures.

(c) To catch, cure and preserve, buy, sell and trade in fish.

(d) To manufacture, extract, buy, sell and trade in oils, glues and other manufactures, products and by-products of fish, fish offal or any other animal or animal substances used, or which may be used therefor or therein.

(e) To buy, sell, manufacture, trade and deal in, all kinds of merchandise, products and commodities.

(f) For the purposes of the company to purchase, take, lease or otherwise acquire any lands, claims, leases, licenses, buildings, railways, tramways, wharves, plant or any other property both real and personal, rights and privileges.

(g) To let or sub-let for building, mining, quarrying, farming or any other purpose any property of the company and to give and grant, any rights, easements or privileges.

(h) To farm any lands held, rented or leased by the company, and to buy, sell or deal in and enter into agreements or contracts with any person or persons for all or any part of any growing crop or crops, or farming produce or commodities.

(i) To erect, construct, manufacture, maintain, hire, charter or purchase all such works, materials, buildings, mills, dams, wells, artesian or otherwise, rolling stock, tools, plants, water powers, steam powers, electric powers, horses, cattle and machinery, as from time to time may appear expedient for use in connection with any business of the company.

(j) To purchase, hire, charter, build, navigate steamships, sailing vessels and all kinds of craft, including tugs, scows, barges and any shares thereof, for the carrying and conveying of passengers, mails, goods and chattels, ores, gypsum, limestone, minerals, wares and merchandise, and to prosecute and carry on the business of carriers of passengers and goods, forwarders and traders, wharfingers and warehousemen as their business may require.

(k) For the purposes of the company to make, construct,

operate and manage any lines of telegraph, telephone and electric motors.

(l) To construct and maintain any wharves, piers, breakwaters, docks, canals or any work or facilities and shipping places, and also widen, deepen, extend and render navigable any rivers, harbors or lakes for the purpose of more effectually carrying on the business of the company, provided that nothing herein contained shall be construed to grant powers conflicting with federal jurisdiction.

(m) To construct, alter and maintain any railway, bridgeways, roads or other works calculated to afford any facility in carrying on or extending the business of the company.

(n) To receive and acquire by original subscription or otherwise the good will of any business within the range of the objects of the company, and any lands, buildings, wharves, ways, railways, tramways, works, quarries, mines, leases, licenses, tools, plants, rails, rolling stock privileges, rights and contracts appertaining to the same in connection with any such purpose, to undertake the liabilities of any company, association, partnership or person.

(o) To sell or otherwise dispose of, or mortgage the whole or any branch or part of the business, property, leases, rights, or privileges of the company.

(p) To do any and all of the above things, either as principal or agent, and either alone or in partnership with any other company or persons, and such things as are incidental or conducive to the attainment of the above objects or any of them and either in Canada or elsewhere.

General powers. 3. The company shall have power and authority to do any matter or thing necessary to carry out any of the above objects or incidental or conducive to the same.

Capital. 4. The capital of the company is one hundred thousand dollars, divided into five thousand ordinary shares of ten dollars each, and five thousand preference shares of ten dollars each. Such preference shares shall confer a right to a fixed cumulative preferential dividend at the rate of six per cent. per annum on the capital paid thereon, and shall rank both as regards capital and dividend in priority to ordinary shares. In the event of the company voluntarily winding up, or otherwise, the surplus assets shall first be

applied in repayment of the amounts credited as paid up on the preference shares. And in the next place in repayment of the amounts credited as paid up on the ordinary shares. Any surplus assets remaining shall be divided pro rata, between the preference shareholders and the ordinary shareholders, up to a further twenty-five per cent., on the amounts credited as paid up on such shares and any further surplus after paying such 25 per cent. shall belong to the holders of the ordinary shares pro rata, according to the amounts credited on the company's books as paid up on such shares. Preference and ordinary shares alike shall be personal property, transmissible and assignable as such only on the books of the company, but the company shall not go into operation until fifty per cent. of the capital stock has been subscribed for, and twenty-five per cent. of said amount so subscribed for paid up.

5. The directors may reserve the issue of any portion of the shares constituting the present capital of the company, over and above the amount to be subscribed before commencing business until such future time as they think expedient, and may issue any portion from time to time as when and how they think proper. Issue of shares may be reserved.

6. The company may receive lands, mines, quarries, leases, licenses or other property, rights, privileges, or any interest therein respectively, in payment of stock subscribed for, or for any instalment due thereon, or in liquidation of any debt or moneys owing on such terms as the directors deem best, and such stock shall be deemed fully paid up stock, and such debt and moneys owing shall be deemed fully paid or liquidated as if paid for in money. Company may take property for shares.

7. The general administration of the affairs of the company is vested in the board of directors, who shall have the power to fill vacancies. Board of directors.

Three directors shall constitute a quorum for the transaction of business.

8. (1) The persons named in the first section of the Act and such other persons as they in writing may associate with them, shall be first or provisional directors of the company, and shall hold offices as such until new directors are elected at the first annual meeting, to be held as the by-laws direct. Such provisional directors shall be eligible for re-election at such annual meeting. Provisional directors.

(2) The said provisional directors shall have all the power and authority in relation to the affairs of the company (which ordinary directors usually have), and they shall have full power to open stock books and to make calls upon subscribers for stock and to receive payment thereof, and may issue paid up stock, as in this Act provided, and for the purpose therein mentioned; and may do all things necessary to organize the company and carry on its business; issue bonds or debentures of the company as herein-after provided, make by-laws for the management of the company or enter into all contracts necessary to carry out any and all the objects of the company.

(3) No provisional director or directors shall be disqualified by reason of holding any office or place of profit under the company, or by reason of being concerned in or participating in the profits of any contract with the company.

(4) Vacancies caused by death or resignation shall be filled by the other directors until the next annual meeting.

Organization not
to lapse by
reason of failure
to appoint
officers.

9. The organization of the company shall not lapse by any failure to choose officers on the day appointed, but the officers may continue in office until others shall be elected in their place.

By-laws.

10. The directors may from time to time, make, alter, amend or repeal such by-laws, rules or regulations not inconsistent with this Act or the laws for the time being in force, as they may deem necessary and proper for the management of the affairs of the company in general, and every such by-law, rule or regulation, and every repeal, amendment or re-enactment thereof, unless in the meantime confirmed at a general meeting of the company duly called for the purpose, shall only have force until the next meeting of the company, and in default of confirmation thereof, shall at and from that time cease to have force; but all such by-laws and every repeal, amendment or re-enactment thereof shall be subject to the approval of the Governor-in-Council.

Votes of
shareholders.

11. At all the meetings of the company, each shareholder or stockholder shall be entitled to one vote for each registered share on which all calls have been fully paid, then held by him and each such vote may be given in person or by proxy.

12. Any shareholder wishing to sell or dispose of his or her stock or interest in the company, shall first offer the same to the company, they having the right hereby given them to purchase and hold the same for the benefit of the remaining shareholders, but the said shareholders shall have the right to receive the full market value for his or her shares and interest. How stock to be disposed of.

13. The directors may decline to register any transfer of shares belonging to any shareholder who is indebted to the company, until all debts due by the shareholder to the company have been paid, and the company shall have first lien on the stock of any shareholder, for all debts due by the shareholder to the company, and the directors may sell the said shares of the stockholder so indebted according to the provisions of any by-law of the company made in reference thereto, and apply the proceeds towards liquidating the indebtedness of the shareholder and any balance remaining after paying the said indebtedness, shall be paid to the said shareholder, or any person legally entitled thereto. Lien on stock for non-payment.

14. Aliens, whether resident within the province of Nova Scotia or elsewhere, as well as British subjects, may be shareholders, directors or officers of the company, and shall be entitled equally with residents or British subjects to all rights as shareholders, directors or officers, and any alien or foreign or domestic corporation or persons who may be holders of any bonds, stocks or debentures of the company shall for all purposes have the same rights, privileges and powers in respect thereto, as if they were British subjects, or the company may sell or may become part of any foreign corporation. Aliens.

15. The company shall through its directors appoint a recognized manager, resident in the Province of Nova Scotia, service on whom of all processes, notices and other documents shall be held to be sufficient service on the company and the name and address of such manager, or agent shall be filed in the office of the Provincial Secretary. Manager.

16. It shall be lawful for the company to enter into agreements with other companies, individuals or associations, to purchase, lease, or in any manner acquire any secrets of trade; knowledge or information relative to or requisite for the profitable management of any or all parts or portions of the objects herein described, authorized and empowered, any and all property, agreements with other Agreements with other corporations.

companies, easements, rights and privileges which the directors deem to be in the interest of the company, to acquire and to equip, complete, maintain and operate the whole or any of the mills, factories or other works so acquired, and the company is hereby authorized to issue upon such terms and at such prices as the directors deem for the interest of the company's fully paid up shares, either common, preferred, or both in settlement, or representing the whole or any part of the cost or value of such purchase, leasing, acquisition, equipping, manufacturing or operating above referred to.

Negotiable
paper.

17. The company shall have power to become parties to drafts, bills of exchange, promissory notes and any other negotiable instruments made, drawn or indorsed by the president and countersigned by the secretary or treasurer of the company, and every such draft, bill of exchange, promissory note or negotiable instrument made, drawn, accepted or indorsed by the parties and in the manner indicated shall be presumed to have been properly made, drawn, accepted or indorsed, until the contrary be shewn; and in no case shall it be deemed necessary to have the seal of the company affixed to any such draft, bill of exchange, promissory note or other negotiable instrument; or shall the president or any other officer of the company so making, drawing or indorsing any such promissory note, bill of exchange, draft, or negotiable instrument for said company, be subjected individually to any liability beyond his liability as a member of the company.

Limited liability.

18. No member of the company shall be liable for the debts or liabilities of the company, in respect of any shares, whether common or preferred, held by him, which have been issued by the company or its directors as fully paid shares under the provisions of this Act or otherwise, nor shall he be liable in respect of any shares not so issued to a greater amount in the whole than the amount thereof held by him, after deducting therefrom the amount actually paid to the company on account of such shares, unless he has rendered himself liable for a greater sum by becoming surety for any debt of the company, but no shareholder who has transferred his interest in the stock of the company shall cease to be liable to the amount unpaid on shares so held by him for any contract of the company entered into before the date of such transfer, so as any action in respect thereof shall be brought within six months after such transfer.

19. (1) The company may upon such terms, as the directors deem, for the interests of the company, issue as fully paid up shares both common and preferred of the company, and may upon such terms and such prices as the directors deem in the interest of the company, pay and allot such shares in payment of the whole or any part of any cost incurred under the next preceding section, and also may upon such terms and at such price as the directors deem in the interest of the company, pay and allot any such fully paid up shares in payment or part payment for service of, or any work done by contractors, engineers, solicitors and other persons who may have been, or may be engaged in promoting the incorporation, undertaking or work of the company, and may upon such terms and at such price as the directors deem in the interest of the company, allot and pay over such fully paid up shares in whole or partial payment for the purchase, lease, or other acquisition of any lands, water-rights, franchises, crops, machinery, patents for invention or patent rights, processes, letters, patent secrets or information or any property which the company is hereby authorized to acquire, construct, operate, or own, in payment of the shares, bonds or any other obligations of other companies, which the company is hereby authorized to acquire. Paid up shares.

(2) The issue, allotment or payment of such fully paid up stock by the directors of the said company, shall be binding upon the company, and shall make the same fully paid up stock and the same shall not be subject to any calls for any purpose whatsoever, and the holders of the said stock allotted or paid as aforesaid shall not be subject to any personal liability, whatsoever, in respect thereto.

(3) All shares, preference or ordinary, allotted and accepted in accordance with this section, shall have voting powers equally with those subscribed and allotted in the usual manner.

20. (1) For any and all purposes of the company, the company is empowered from time to time under the authority of a majority vote of at least two-thirds of the preference shares which are represented in person, or by proxy, at a meeting called for that purpose or at any annual meeting of the company, to issue at one or more times, or in one or more series, its bonds or debentures under its seal and signed by the president or authorized officer and countersigned by its treasurer or secretary; any such bonds or debentures may be made payable in such manner and at such Bonds and debentures issued.

times, and in such places in Nova Scotia or elsewhere, and bear interest at such rate per annum, and may be subject to such conditions as the company may at such meeting decide.

(2) Such bonds or debentures shall not be issued for an amount exceeding the issued capital stock of the company.

(3) The directors of the company may pledge or sell upon the best terms they may be able to obtain, any such bonds or debentures.

Bonds, how
secured.

21. (1) The company may from time to time secure any of the bonds or debentures of the company, by a mortgage or deed of trust of all or any portion of its property, whether real, personal or mixed, and including any revenue or tolls of any stock, shares or securities of other companies, powers, rights and franchises (including the franchise of being a corporation) whether owned or enjoyed by it at the date of such mortgage or deed of trust or thereafter acquired.

(2) And the legal title of all property acquired subsequently to the date of such mortgage or deed of trust, shall vest in the said trustee or trustees for the bondholders or debenture holders, as soon as the same is acquired or owned by the said company.

(3) The company may in and by such mortgage or deed of trust confer upon the holders of such bonds or debentures, or the trustee or trustees, under such mortgage or deed of trust for their benefit, such powers, rights and remedies as may be deemed advisable in order to enable the holders of the said bonds or debentures or such trustee or trustees in their behalf, to obtain the possession and enjoyment of and title to such property, or to obtain the value thereof by sale or otherwise in case of default by the company in the performance of the conditions of said mortgage or deed of trust, and the holders of such bonds or debentures or any person claiming by, through or under them or the purchasers, from said trustee or trustees in case they shall take possession of said property, under the provision of such mortgage or deed of trust, may organize themselves into a corporation in the manner provided in this Act, for the organization of the company, and the provisions of this Act or any Act in addition hereto or in amendment hereof shall apply to such corporation and its members, and such corporation shall be entitled to have and enjoy the powers,

privileges and franchises conferred upon the company by this Act or any Act in addition thereto, or in amendment thereof.

(4) The holders of said bonds or debentures, whether they shall organize themselves into a corporation as herein provided or not, or said trustee or trustees or any person or persons or any corporation claiming by, through or under them, shall, in case they take possession of said property under the provisions of said mortgage or deed of trust be entitled to hold, own and enjoy the same as fully and effectually as did the company theretofore, and they shall be entitled to hold and enjoy all the powers, rights, privileges, franchises, in reference thereto, which were held and enjoyed by the company, whether under letters patent or lease from or contract with the crown, or under this Act or any Act in amendment hereof, or any special or general law in force in the province of Nova Scotia or otherwise.

(5) The company may in and by said mortgage or deed of trust provide for a periodical payment to said trustee or trustees of such sum as they may determine, which sum with all accumulations thereon shall constitute a sinking fund to be applied in such manner as shall be stipulated in such mortgage or deed of trust.

(6) The debentures of the company shall be payable to the registered holders of the same for the time being and the company will not be justified in paying to any one except the registered holders or some person or persons authorized by them.

(7) The company shall not be bound to enter into the register, notice of or in any way to recognize any trust or rights of any person or persons other than the registered holders to any benefits under its debentures, except as shall be provided with the issue thereof.

(8) Each debenture shall be one of a series of such like debentures and each for a like amount, all ranking equally and none shall have priority over others. No issue, sales or transfers of debentures shall be acknowledged unless officially signed and properly stamped with the seal of the company.

22. It shall not be necessary to affix the seal of the company to any of its acts or contracts, except its convey- Seal not to be affixed to bonds.

ances of lands, bonds, debentures and stockholders' certificates.

Business outside
the Province.

23. The company is authorized to transact any business out of the province necessary or incidental to any purpose within the province for which the company is incorporated.

Reserve fund.

24. The directors before recommending any dividend may set aside out of the profits of the company any sum as they may think proper, as a reserve fund to meet contingencies or for equalizing dividends and the directors may invest the sum so set apart as a reserve fund upon such securities as they may select.

Further powers.

25. It shall be lawful for the company to construct roads and to make and operate railways or tramways, over, along or under, or across any brooks, rivers or streams not being navigable waters and highways, subject nevertheless, to regulations to be made by the municipal council of the district or districts for the safety of the inhabitants and their property, and subject to the provisions of chapter 9 of the Revised Statutes of Nova Scotia, 1900.

"Painting" and
"affixing."

26. The company shall paint or affix, and keep painted or affixed, its name, with the word "limited" after it, on the outside of every office or place in which the business of the company is carried on, in a conspicuous position, in letters easily legible, and shall have its name, with said word "limited" after it, mentioned in legible characters in all notices, advertisements and other official publications of the company, and the other writings used in the transaction of the business of the company, and for every neglect of a full compliance with the foregoing provisions of this section by an officer of the company, the company shall be liable to a penalty not exceeding twenty dollars.

Head office.

27. The head office of the company shall be at Amherst in the county of Cumberland, or such other place in Nova Scotia as the directors may by by-law determine.

When Act
shall cease.

28. If the company does not bona fide commence business under the provisions hereof within two years from and after the passing of this Act, then this Act shall become and be utterly null and void and of no effect.

CHAPTER 161.

An Act to amend Chapter 155, Acts of 1900, entitled, "An Act to incorporate the Chapman Double Ball Bearing Company of Canada, Limited."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Capital reduced.
2. Meetings of company.

SECTION.

3. Head office.
4. Act repealed.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The capital stock of the Chapman Double Ball Bearing Company of Canada, Limited, is reduced from one million five hundred thousand (1,500,000) dollars, divided into fifteen thousand (15,000) shares of one hundred (100) dollars each, to eight hundred thousand (800,000) dollars divided into eight thousand (8,000) shares of one hundred (100) dollars each, by the return to the company by the holders thereof, of seven thousand (7,000) shares of one hundred (100) dollars each, and the cancellation of the same by the company. Capital reduced.
2. Meetings of the company may be held at such times and such places either within or without the province of Nova Scotia as are prescribed by the by-laws of the company. Meetings of company.
3. The head office of the company may be in such place either within or without the province of Nova Scotia, as may be prescribed by the by-laws of the company. Head office.
4. All Acts and parts of Acts inconsistent with this Act are hereby repealed. Act repealed.

CHAPTER 162.

An Act to amend Chapter 168 of the Acts of 1903-4, entitled, "An Act to amend Chapter 148, Acts of 1902, entitled; 'An Act to incorporate the A. C. Thompson Company, Limited.'"

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section 1 amended.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Section 1
amended.

1. Section 1 of chapter 168 of the Acts of 1903-4 entitled, An Act to amend chapter 148, Acts of 1902, An Act to incorporate the A. C. Thompson Company, Limited, is amended by striking out the words "two hundred and fifty" in line ten thereof, and substituting therefor the words "three hundred."

CHAPTER 163.

An Act to incorporate the Mechanics' Store Company, Limited, Glace Bay.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. Capital.
4. Limited liability.
5. Power to hold property.
6. Corporate name.

SECTION.

7. Officers.
8. Qualification.
9. Subscription of shares.
10. Provisional officers.
11. First meeting.
12. "Painting" and "affixing."

Be it enacted by the Governor, Council, and Assembly, as follows:—

Incorporation.

1. John F. McPherson, Frank McNeil, Angus Campbell, John A. McNeil, Daniel Gillis, Archy Campbell and Joseph A. Dillon, and such other persons as shall hereafter become shareholders in the said company shall be a body corporate, under the name of "The Mechanics' Store Company, Limited," hereinafter called "the company."

Objects.

2. The object of the said company is to improve the material or pecuniary means of its members, purchasing:

merchandise at wholesale prices, retailing the same at ordinary rates to members and general public, dividing the profits semi-annually in proportion to the amount of each member's purchase and capital; to provide a safe and profitable investment for the savings of the working man, and also to promote the moral advancement of its members by encouraging the habits of thrift and economy.

3. The capital stock of the said company shall be ^{Capital.} twenty thousand dollars, to be divided into shares of five dollars each.

4. The liability of each shareholder of the company ^{Limited liability.} hereby incorporated for the debts of the corporation, shall be limited to the amount of stock held by him, less the amount paid upon the same.

5. The company by its directors, may purchase, take, ^{Power to hold} hold and enjoy real estate not exceeding the value of five ^{property.} thousand dollars, and may sell, mortgage, lease, convey or otherwise dispose of the same as may be deemed expedient for the objects of the company.

6. The company shall have power to sue, and shall be ^{Corporate name} liable to be sued, under the said corporate name, and shall have a common seal.

7. The business, property, and general management of ^{Officers.} the company's affairs, shall be under the control of a president, secretary, treasurer and five directors, who shall be chosen by the shareholders at each semi-annual meeting of the shareholders. At all meetings of the directors for the transaction of business, four shall constitute a quorum.

8. No member shall be eligible for election as an officer ^{Qualification.} or director unless he holds four shares paid up in the capital stock of the company hereby incorporated. All officers and directors shall be elected to serve from the time of election until the next semi-annual meeting. At each semi-annual meeting one-half the directors shall retire in order of priority of election or by ballot. The officers and retiring directors shall be immediately eligible for re-election. In the event of the death or removal by other cause of any director of the company, the remaining directors may choose one from among the shareholders eligible for election to fill his place until the next semi-annual meeting.

Subscription
of shares.

9. The directors, or a majority of them, may open a subscription of persons desirous of becoming shareholders in the said company, and may allot to such persons the number of shares that each or any of them shall have in the company.

Provisional
officers.

10. For the purpose of organizing the said company, the following persons shall be the provisional officers and directors thereof, viz:—John F. McPherson, Frank McNeil, Angus Campbell, John A. McNeil, Daniel Gillis, Archy Campbell, and Joseph A. Dillon, and the said provisional directors shall have all the powers by sections 6, 8, 9 and 10 of this Act conferred upon directors, until a choice of directors shall have taken place in the manner prescribed by this Act.

First meeting.

11. The first meeting of the company shall be held in Glace Bay, aforesaid, at such time and place as the said provisional directors may determine, of which meeting twenty days' notice shall be given to the shareholders. At such meeting, or any subsequent meeting called for that purpose in like manner, the company may elect its officers and directors, and establish by-laws necessary for its government and the carrying out of the objects of this Act.

"Painting" and
"affixing."

12. The company shall paint or affix and keep painted or affixed, its name with the word "limited" after it, or forming part of said name, on the outside of every office or place in which the business of the company is carried on, in a conspicuous position in letters easily legible, and shall have its name with the said word "limited" after it or forming part of its name, mentioned in legible characters in all notices, advertisements and other official publications of the company, and on all bills of exchange, promissory notes, cheques, orders for money, or goods purporting to be drawn, made, signed, given or indorsed by or on behalf of the company, and in all bills, invoices, receipts, letters and other writings used in the transaction of the business of the company and the company shall be liable to a penalty of twenty dollars for every neglect or omission of the name of the company with the word "limited" after it or forming part of said name in any of the above cases.

CHAPTER 164.

An Act to incorporate The Sydney Co-operative Society, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. Capital.
4. Property vested in society.
5. Liability.
6. Society may hold property.
7. General powers.

SECTION.

8. Directors.
9. Qualification of directors.
10. Allotment of shares.
11. Provisional directors.
12. First meeting.
13. "Painting" and "affixing" clause.

Be it enacted by the Governor, Council, and Assembly, as follows :

1. Neil McKinnon, Peter J. McLaughlin, Herbert C. Elmsly, Dan Livingstone, James Gallivan, John M. Power, John B. Jacobs, James White, James Penny, Jos. Boudrot, William D. Jackson, Eugene Wherry, and others, members of the society to be hereby incorporated, now and heretofore doing business in Sydney in the county of Cape Breton, as traders in general wares and merchandise, and such other persons as shall hereafter become shareholders in the said society, shall be a body corporate, by the name of "The Sydney Co-operative Society, Limited," for the purpose of more effectually carrying on the said trade.

2. The object of the said society is to improve the material or pecuniary means of its members, purchasing merchandise at wholesale prices, retailing the same at ordinary rates to members and general public, and provide a safe and profitable investment for the savings of the working man, by dividing the profits semi-annually in proportion to the amount of each member's purchase and capital, and also to promote the moral advancement of its members by encouraging the habits of thrift and economy.

3. The capital stock of the said society shall be twenty thousand dollars, to be divided into shares of five dollars each.

4. All the real estate and other property, assets and credits of the society, now doing business at Sydney aforesaid, under the name of "The Sydney Co-operative Society, Limited," including the real estate, building and appurtenances, now held in the joint names of Neil McKinnon, Peter McLaughlin, Herbert C. Elmsly, Dan Livingstone, James

Gallivan, John M. Power, John B. Jacobs, James White, James Penny, and Jos. Boudrot, or their successors in office, situate in Sydney aforesaid, under a lease from William Robertson, in trust and for the benefit of and used by the said society hereby incorporated, is transferred into, and shall vest in the society hereby incorporated, which said incorporated society shall be liable for all the debts, engagements and liabilities of the said "The Sydney Co-operative Society, Limited," while carrying on such business unincorporated; provided that the said society now doing business as aforesaid, and the members thereof, and all persons and property now liable for the debts, engagements or obligations of the said society existing at the date of the passing of this Act, shall continue liable notwithstanding anything herein contained.

Liability.

5. The liability of each shareholder of the society hereby incorporated for the debts of the corporation, shall be limited to the amount of stock held by him less the amount paid upon the same.

Society may hold property.

6. The society by its directors, may purchase, take, hold and enjoy real estate not exceeding the value of five thousand dollars, and may sell, mortgage, lease, convey or otherwise dispose of the same as may be deemed expedient for the objects of the society.

General powers.

7. The society shall have power to sue and shall be liable to be sued, under the said corporate name, and shall have a common seal.

Directors.

8. The business, property and general management of the society's affairs shall be under the control of a president, secretary, treasurer and eight directors, who shall be chosen by the shareholders at each semi-annual meeting of the shareholders. At all meetings of the directors for the transaction of business, five shall constitute a quorum, consisting of four directors and either the president, secretary or treasurer.

Qualification of directors.

9. No member shall be eligible for election as an officer or director unless he holds four shares paid up in the capital stock of the society hereby incorporated. All officers and directors shall be elected to serve from the time of election until the next semi-annual meeting. At each semi-annual meeting one-half the directors shall retire in order of priority of election or by ballot. The officers and retiring directors shall be immediately eligible for re-election. In the event

of the death or removal by other cause of any director of the society the remaining directors may choose one from among the shareholders eligible for election to fill his place until the next semi-annual meeting.

10. The directors or a majority of them may open a subscription of persons desirous of becoming shareholders in the said society, and may allot to such persons the number of shares that each or any of them shall have in the society. Allotment of shares.

11. For the purpose of organizing the said society the following persons shall be provisional officers and directors thereof, viz:—Neil McKinnon, Peter J. McLaughlin, Herbert C. Elmsly, Dan Livingstone, James Gallivan, John M. Power, John B. Jacobs, James White, James Penny, Jos. Boudrot and William D. Jackson, and the said provisional directors shall have all the powers by sections 6, 8, 9 and 10 of this Act conferred until a choice of directors shall have taken place in the manner prescribed by this Act. Provisional directors.

12. The first meeting of the society shall be held in Sydney aforesaid, at such time and place as the said provisional directors may determine, of which meeting twenty days' notice shall be given to the shareholders by letters postage prepaid and registered. At such meeting, or any subsequent meeting called for that purpose in like manner, the society may elect its officers and directors, and establish by-laws necessary for its government and the carrying out of the objects of this Act. First meeting.

13. The society shall paint or affix and shall keep painted or affixed its name with the word "limited" after it, or forming part of said name, on the outside of every office or place in which the business of the society is carried on, in a conspicuous position, in letters easily legible and shall have its name with the said word "limited" after it or forming part of its name mentioned in legible characters in all notices, advertisements, and other official publications of the society, and on all bills of exchange, promissory notes, cheques, orders for money or goods, purporting to be drawn, made, signed, given or indorsed by or on behalf of the society, and in all bills, invoices, receipts, letters and other writings used in the transaction of the business of the society, and the society shall be liable to a penalty of twenty dollars for every neglect or omission of the name of the society with the word "limited" after it or forming part of said name in any of the above cases. "Painting" and "affixing" clause.

CHAPTER 165.

An Act to incorporate Desjardins & Company's French Club, Limited.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Powers.
- 3-4. Additional powers.

SECTION.

5. Limited liability.
6. Negotiable paper.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Incorporation.

1. David J. Desjardins, miner, Hyacinthe Chiasson, miner, Joseph J. Chiasson, Adolphe W. Desveaux, and William Chiasson, all of Glace Bay, in the county of Cape Breton, their associates, successors and assigns, and such other persons as are or shall become members of the club hereby incorporated, according to the rules and regulations and by-laws thereof, are hereby created a body corporate by the name of "Desjardins and Company's French Club, Limited."

2. The corporation may purchase, lease, rent, take, hold and enjoy real estate to the value of twenty thousand dollars, and may mortgage, sell, lease or otherwise dispose of the same, as may be necessary or expedient.

Powers.

3. The corporation is hereby empowered to sue for and collect all entrance fees, subscriptions, dues, assessments and all other accounts and moneys now or hereafter to become due the club or corporation before or after the passing of this Act, and the same shall be due and payable at the time or times fixed by and according to the terms of the present or future rules, regulations and by-laws of the club; and the club shall have full power to enforce and carry into effect all rules, by-laws and regulations of the club, and shall enforce the same when required in the manner directed in said by-laws, rules and regulations.

Additional powers.

4. The corporation shall have power to assess itself to meet any financial difficulties that may arise or deficiencies that may occur, and for any sums which may be necessary or expedient for the successful carrying on of the affairs of the club, at any meeting called for that purpose, by a two-thirds vote of the number present at such meeting.

5. No member of the corporation shall be liable for the debts of the corporation, but its property, real and personal, including subscriptions due the club, shall form the assets of the corporation and be liable for the debts and liabilities of the corporation. Limited liability.

6. The club shall have power to draw or accept or indorse bills of exchange and promissory notes on behalf and for the purposes of the club. Negotiable paper.

CHAPTER 166.

An Act to incorporate the Glace Bay Club.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Powers.
3. Negotiable paper

SECTION.

4. Power to assess.
5. Limited Liability.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Stuart McCawley, broker; John C. Douglas, barrister; David M. Burchell, superintendent, and Charles J. Fothergill, accountant, their associates, successors and assigns, and such other persons as are or shall become members of the club, hereby incorporated according to the rules and by-laws thereof, are hereby created a body corporate by the name of "The Glace Bay Club." Incorporation.

2. The corporation may purchase, lease, rent, take, hold and enjoy real estate to the value of twenty thousand dollars, and may mortgage, sell, lease or otherwise dispose of the same, as may be deemed expedient. Powers.

3. The corporation is hereby empowered to draw, sign, indorse and accept promissory notes and bills of exchange as may be necessary for the purposes of the corporation, and to sue for and collect all entrance fees, subscriptions, assessments and all other accounts and moneys now or hereafter to become due to the club, and all debts, moneys or accounts that may or shall become due to the club or corporation before or after the passing of this Act, and the same shall be due and payable at the times fixed by and Negotiable paper.

according to the terms of the present or future by-laws of the club; and the club shall have full power to enforce and carry into effect all the present or future by-laws and regulations of the club, and shall enforce the same when required in the manner directed in said by-laws and regulations.

Power to assess.

4. The corporation shall have power to assess itself to meet any financial difficulties that may arise or deficiencies that may occur, and for any sums which may be necessary or expedient for the club, at any meeting called for that purpose, by a two-thirds vote of the number present at such meeting.

Limited liability.

5. No member of the corporation shall be liable for the debts of the corporation, but the property, real and personal, and subscriptions to said club, shall form the assets of said corporation, and be liable for the debts and liabilities of the same.

CHAPTER 167.

An Act to incorporate The Halifax Amateur Boating Club.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. By-laws.

SECTION.

3. Power to hold real estate.
4. Limited liability.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Incorporation.

1. Alfred M. Bauld, Alfred A. Haliburton, John A. Irvine, Roderick Macdonald, James F. Barry, George H. Parsons, Samuel Fenn, William B. Rankine, Theophilus S. Bowser, and the other members of the club hereby incorporated, and all who shall hereafter become members thereof, are hereby constituted a body corporate under the name of the "Halifax Amateur Boating Club," for the encouragement of boating and canoeing.

By-laws.

2. The constitution and by-laws of the club by this Act incorporated, are hereby declared to be the constitution and by-laws of said corporation. And said corporation may from time to time add to, alter and repeal the same to carry into effect the objects of the corporation. Such constitution

and by-laws and all alterations thereof, shall be invalid until approved by the Governor-in-Council. The corporation shall have power to make contracts for the purposes of the club, to sue and be sued in the corporate name, and shall be governed and conducted in accordance with said constitution and by-laws.

3. The corporation shall have the right to purchase, lease, hold, possess and enjoy all lands and tenements and real estate, being and situate in the city of Halifax, or its vicinity, necessary for its actual use and occupation for the purposes for which it was created, and to mortgage or sell, assign and dispose of such property or interest therein, and to acquire other instead thereof, whenever the corporation may deem it proper so to do, but such real estate shall not exceed the actual value of twenty thousand dollars, and all the interests which said club hereby incorporated now has or enjoys in property, both real and personal, shall vest in and belong to said corporation. Power to hold real estate.

4. No member of the corporation shall be liable for the debts of the corporation unless he shall have made himself personally responsible therefor. Limited liability.

CHAPTER 168.

An Act to amend Chapter 190, Acts of 1903-4, entitled, An Act to incorporate the Antigonish C. M. B. A. Hall Company, Limited.

(Passed the 7th day of April, A. D. 1905.)

SECTION 1. Section 6 amended.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Section 6 of chapter 190, Acts of 1903-4, is hereby amended by inserting the words "or special" after the word "general," in said section. Section 6 amended.

CHAPTER 169.

An Act to incorporate Buller Lodge Number 31, Provincial Workmen's Association, Stellarton.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Incorporation.
2. Property vested.
3. Constitution and by-laws.

SECTION.

4. General powers.
5. Claims, how collected.
6. Limited Liability.

Be it enacted by the Governor, Council, and Assembly, as follows :

Incorporation.

1. Roderick McNeil, Alexander McInnes, William Arthrell, Ranauld Fraser, Hector McLean, Alexander Hall, and such other persons as are and shall become members of the lodge hereby incorporated according to the rules and by-laws thereof, are hereby created a body corporate, under the name of "Buller Lodge, Number 31, Provincial Workmen's Association," for the purpose of holding the property and managing the affairs of the lodge.

Property vested.

2 All the real and personal estate in which the said lodge has any right, title or interest, and all property now or formerly held by any person in trust for the said lodge, and all debts, dues and claims due the said lodge, or the trustees thereof, are hereby vested absolutely in the corporation hereby created.

Constitution and by laws.

3. The constitution and by-laws of the "Provincial Workmen's Association" now or hereafter to be made or adopted and made by said association to apply to the lodge hereby incorporated, and any by-laws now or hereafter to be made or adopted by the lodge hereby incorporated, under sanction of the "Provincial Workmen's Association," shall be the constitution and by-laws of the lodge hereby incorporated.

General powers.

4. The lodge may purchase, take and hold, real and personal estate not exceeding in value ten thousand dollars, and may sell, mortgage, lease, convey, or otherwise dispose of the same as may be agreed upon by resolution of the lodge hereby incorporated, and may invest its funds in any way it may think fit, including investments by way of mortgage on real estate, or on personal property, or on either or both.

5. The lodge may collect all debts, dues, arrears or claims due, or to become due, under the constitution and by-laws of the lodge now incorporated, or that hereafter may be adopted as the constitution and by-laws of said lodge, and shall have power to sue and be sued in the corporate name. Claims, how collected.

6. No member of the lodge shall be liable for any of the debts or liabilities of the lodge in a greater sum or amount than is found to be due by him to the lodge unless he shall have expressly agreed to become answerable therefor in writing, by indorsement or otherwise. Limited liability.

CHAPTER 170.

An Act to incorporate The St. Patrick's Branch of the League of the Cross Total Abstinence Society, Bridgeport, in the County of Cape Breton.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. Board of trustees.
4. By-laws.
5. Quorum.
6. Meetings.
7. Limited liability.

SECTION.

8. Power to hold property.
9. Execution of documents.
10. General powers.
11. Property vested.
12. Provision in case of suspension.
13. Exemption from taxes.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The Reverend Charles W. Macdonald, P. P., Daniel Graham, Richard O'Neil, John J. McIntyre, and Frank Nearing, all of Bridgeport, in the county of Cape Breton, and such other persons as are now or hereafter may become members of "Saint Patrick's Branch of the League of the Cross Total Abstinence Society," Bridgeport, are hereby created a body corporate by the name of "St. Patrick's Branch of the League of the Cross, Bridgeport," and shall have perpetual succession, and a common seal, with the right to acquire, hold, transmit and convey real and personal property, and shall have and enjoy all the privileges, rights and immunities usually possessed and enjoyed by corporations. Incorporation.

2. The object of this society shall be to promote the Glory of God and elevate the religious and social state of Objects.

our people by the formation of a sound public opinion on the temperance question and the cordial union of all Catholics, both clergy and laity, in a warfare against drunkenness and the drinking habits of society.

Board of trustees. 3. The above named corporators shall constitute the board of trustees for the said corporation, and shall hold office from the date of the passing of this Act until the first regular meeting of the said corporation in the month of May, A. D., 1906, when their successors in office shall be elected; provided however, that the parish priest for the time being of the parish of Bridgeport, shall at all times be considered the senior trustee *ex officio*.

By-laws. 4. The corporation shall have power to make by-laws for the regulation of its meetings, the appointment of its officers, and generally as to all matters pertaining to the order and good government of the society, or to adopt any such by-laws already made, and also to alter or amend the same, provided that such by-laws shall only be made, adopted, altered or amended by a two-thirds vote of the members in good standing present at a regular meeting of the society.

Quorum. 5. Ten members of the society shall form a quorum, and be competent to transact the business of the society at any regular, special or annual meeting. In the absence of the president or vice-president, the members present shall appoint one of their number chairman.

Meetings. 6. The regular meetings of the society shall be held weekly, at such time and place as the majority of the society shall determine. Special meetings shall be called on the requisition to the president of five members, such requisition to state the business for which the meeting is to be convened, and no other business shall be taken up at any such special meeting. The annual meeting of the trustees shall take place in the first week in the month of May in each year, at the regular place of meeting.

Limited liability. 7. No member of the society shall be liable for the debts of the society unless he shall have rendered himself liable by becoming surety for the debts of the society or corporation.

Power to hold property. 8. The corporation may acquire, hold, lease, mortgage and sell, real estate and personal property not exceeding in value five thousand dollars. The real estate and personal

property of the corporation shall be held in the corporate name of the society, but shall be managed by the board of trustees. The said board shall not have power to buy, sell or mortgage any real estate without first obtaining the consent of the society at a regular weekly meeting, but they shall have power, subject to the discretion of the society, to incur all expenses necessary for the preservation and keeping in repair of the property of the corporation.

9. When authorized by the society the board of trustees may, on behalf of the society, execute any and all necessary documents for the purchase, sale, mortgage or other disposal of any real or personal property of the society. Execution of documents.

10. The said society may enter into and execute contracts, and also sue and be sued in its corporate name. General powers.

11. Upon the passing of this Act the property of the said St. Patrick's League of the Cross, whether real or personal, and all debts due thereto, shall vest in the society hereby incorporated. Property vested.

12. In case the said society shall at any time disband, be suspended, or cease to exist from any cause whatever, then and in any such case all real or personal property of whatever nature shall immediately vest in and be held in trust by the parish priest, for the time being, of the parish of Bridgeport, who shall be the legal custodian of the said property, and the said parish priest shall hold the same (in case of suspension) until the said society may again assume its regular meetings, when the property, if any, shall be restored to the society, and in case of the said society disbanding, and until a society in connection with the said parish having in view kindred objects with, and having essentially the same constitution as this society shall have been organized, when the property, if any, shall be by said parish priest transferred to said society so organized, providing the said parish priest shall be satisfied that said society complies with the aforesaid requirements. Provision in case of suspension.

13. Such portions of the real and personal property of the society as may be used exclusively for the purposes of the society as a temperance organization, shall be exempt from taxation either municipal, civic or local. Exemption from taxes.

CHAPTER 171.

An Act to incorporate the St. Patrick's Branch of the
League of the Cross Total Abstinence Society, Sydney,
in the County of Cape Breton.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. Board of trustees.
4. By-laws.
5. Quorum.
6. Meetings.
7. Limited liability.

SECTION.

8. Power to hold property.
9. Execution of documents.
10. Contracts.
11. Property vested in society.
12. Termination of society.
13. Exemption from taxes.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Incorporation

1. The Reverend D. M. Macadam, P. P. of the parish of the "Sacred Heart," Sydney, Cape Breton, D. K. McIntyre, M. D., D. M. Curry, Angus McDonald and Hugh McIntyre, all of Sydney, in the county of Cape Breton, and such other persons as are now or hereafter may become members of "Saint Patrick's Branch of the League of the Cross," Sydney, are hereby created a body corporate by the name of "St. Patrick's Branch of the League of the Cross," Sydney, and shall have perpetual succession, and a common seal, with the right to acquire, hold, transmit and convey real and personal property, and shall have and enjoy all the privileges, rights and immunities usually possessed and enjoyed by corporations.

Objects.

2. The object of this society shall be to promote the glory of God and elevate the religious and social state of our people by the formation of a sound public opinion on the temperance question and the cordial union of all Catholics, both clergy and laity, in a warfare against drunkenness and the drinking habits of society.

Board of trustees.

3. The above named corporators shall constitute the board of trustees for the said corporation, and shall hold office from the date of the passing of this Act until the first regular meeting of the said corporation in the month of May, A. D., 1906 when their successors in office shall be elected; provided however, that the parish priest for the time being of the parish of the Sacred Heart, Sydney, shall at all times be considered the senior trustee *ex officio*.

4. The corporation shall have power to make by-laws^{By-laws} for the regulation of its meetings, the appointment of its officers, and generally as to all matters pertaining to the order and good government of the society, or to adopt any such by-laws already made, and also to alter or amend the same, provided that such by-laws shall only be made, adopted, altered or amended by a two-thirds vote of the members in good standing present at a regular meeting of the society.

5. Ten members of the society shall form a quorum,^{Quorum.} and be competent to transact the business of the society at any regular, special or annual meeting. In the absence of the president or vice-president, the members present shall appoint one of their number chairman.

6. The regular meetings of the society shall be held^{Meetings.} weekly, at such time and place as the majority of the society shall determine. Special meetings shall be called on the requisition to the president of five members, such requisition to state the business for which such meeting is to be convened, and no other business shall be taken up at any such special meeting. The annual meeting of the trustees shall take place in the first week in the month of May in each year, at the regular place of meeting.

7. No member of the society shall be liable in his^{Limited liability.} person or separate estate for the debts of the society unless he shall have rendered himself liable by becoming surety for the debts of the society or corporation.

8. The corporation may acquire, hold, lease, mortgage^{Power to hold property.} and sell real estate and personal property not exceeding in value five thousand dollars. The real estate and personal property of the corporation shall be held in the corporate name of the society, but shall be managed by the board of trustees. The said board shall not have power to buy, sell or mortgage any real estate without first obtaining the consent of the society at a regular weekly meeting, but they shall have power, subject to the discretion of the society, to incur all expenses necessary for the preservation and keeping in repair of the property of the corporation.

9. When authorized by the society the board of trustees^{Execution of documents.} may, on behalf of the society, execute any and all necessary documents for the purchase, sale, mortgage or other disposal of any real or personal property of the society.

Contracts.

10. The said society may enter into and execute contracts, and also sue and be sued in its corporate name.

Property vested in society.

11. Upon the passing of this Act the property of the said St. Patrick's League of the Cross, whether real or personal, and all debts due thereto, shall vest in the society hereby incorporated.

Termination of society.

12. In case the said society shall at any time disband, be suspended, or cease to exist from any cause whatever, then and in any such case all real or personal property of whatever nature shall immediately vest in and be held in trust by the parish priest, for the time being, of the parish of the "Sacred Heart," Sydney, who shall be the legal custodian of the said property, and the said parish priest shall hold the same (in case of suspension) until the said society may again assume its regular meetings, when the property, if any, shall be restored to the society, and in case of the said society disbanding, and until a society in connection with the said parish having in view kindred objects with, and having essentially the same constitution as this society shall have been organized, when the property, if any, shall be by said parish priest transferred to said society so organized, providing the said parish priest shall be satisfied that said society complies with the aforesaid requirements.

Exemption from taxes.

13. Such portions of the real and personal property of the society as may be used exclusively for the purposes of the society as a temperance organization shall be exempt from taxation either municipal, civic or local.

CHAPTER 172.

An Act to incorporate the Sydney Lyceum Club.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. General powers.
4. Power to hold property.
5. Limited liability.
6. By-laws.
7. Officers.

SECTION.

8. Who may call meeting.
9. Provisional Directors.
10. Qualification of members.
11. Quorum.
12. Title to property vested.
13. Chapter 205, Acts 1902, repealed.

Be it enacted by the Governor, Council, and Assembly,
as follows:—

1. Donald M. MacAdam, of the city of Sydney, in the ^{Incorporation.} county of Cape Breton and province of Nova Scotia, clergyman; Finlay MacDonald, of Sydney aforesaid, barrister; Charles J. Brady, of Sydney aforesaid, clergyman; G. L. Murphy, of Sydney aforesaid, merchant; Hugh B. Gillis, of Sydney aforesaid, engineer; J. Sanford Macdonald, of Sydney aforesaid, accountant; John Gillis, of Sydney aforesaid, registrar of deeds; A. J. G. MacEchen, of Sydney aforesaid, barrister; Archibald A. MacIntyre, of Sydney aforesaid, barrister; John R. MacIsaac, of Sydney aforesaid; railway traffic manager; Ronald J. MacAdam, of Sydney aforesaid, theatre manager; James J. Curry, of Sydney aforesaid, city clerk; D. K. MacIntyre, of Sydney aforesaid, physician; Frank J. Donovan, of Sydney aforesaid, electrician; Thomas F. Horrigan, of Sydney aforesaid, professor; W. T. Lynch, of Sydney aforesaid, baker; T. J. Murphy, of Sydney aforesaid, commercial traveller; Thomas Cozzolino, of Sydney aforesaid, contractor; David A. Hearn, of Sydney aforesaid, barrister; C. J. Sparrow, of Sydney aforesaid, physician; Joseph A. Gillies, of Sydney aforesaid, barrister; Vincent Mullins, of Sydney aforesaid, broker; Patrick Blake, of Sydney aforesaid, merchant; John G. Young, of Sydney aforesaid, merchant tailor; Charles MacKinnon, of Sydney aforesaid, merchant tailor; and such other persons as they may associate with themselves, as members of the club, association, or society, hereby incorporated, and their successors, are hereby constituted a body corporate under the name of "The Sydney Lyceum Club," hereinafter called the "corporation," or the "club."

2. The powers, objects, aims and purposes of the corpor- ^{Objects.}
ation or club hereby incorporated shall embrace the follow-
ing:—

(a) The organization and maintenance of a club or association of Roman Catholic men, of the age of eighteen years or upwards, in the city of Sydney, designed for the promotion and inculcation of benevolence, charity, temperance and the principal social virtues; and generally for the mental, moral and physical welfare of all who are or shall become members of the club, and for the entertainment of the members, their friends and visitors.

(b) The purchase, erection or lease of such buildings, halls, or apartments, as it may be deemed necessary or advisable to have for the purpose of the club, and the furnishing and equipment of the same.

(c) The establishment of a first-class gymnasium in connection with such club, and the holding of any and all kinds of games of skill and any lawful games, including athletics of every sort.

(d) The providing, by building purchasing, or leasing of a hall or halls, or of apartments suitable for concerts and other entertainments, and for the cultivation of music, art, science and literature.

(e) The providing of libraries, and reading-rooms well supplied with newspapers, magazines and other literature.

(f) Procuring instruction and lectures to be given on subjects of general interest or importance, and otherwise aiding in the dissemination of useful knowledge and the cultivation of high moral standards.

(g) The doing of anything incidental to the foregoing.

General powers.

3. The corporation may sue or be sued, and may enter into any manner of contracts and agreements, and may make, accept, indorse, or become parties to, cheques, promissory notes, bills of exchange, or any negotiable instruments whatsoever, without using thereon the corporate seal; and the name of the corporation may be subscribed thereto, or written thereon by the president or secretary for the time being, or by any officer thereunto authorized by any by-law, regulation or resolution of the corporation in that regard, or by any officer thereunto authorized by vote of the executive or directors.

Power to hold property.

4. The corporation may acquire and hold real and personal property to the value of \$50,000, and may lease, rent,

mortgage, sell or otherwise dispose of the same in the same way and to the same extent as private individuals may now deal with their own property in the province of Nova Scotia.

5. No director, officer or member of the club shall be ^{Limited liability.} personally liable for any of its debts, liabilities, or obligations to a greater amount in the whole than he may owe the club at the time, unless he shall have become surety for the club, or otherwise assumed its obligations.

6. The corporation shall have power and authority to ^{By-laws} formulate a constitution, which shall be consistent with this Act, and to make by-laws, rules and regulations, not contrary to any laws of the province of Nova Scotia, all of which shall, when approved by the Governor-in-Council, have the force of law. The directors may in the first instance formulate such constitution and make such by-laws, rules and regulations, and prescribe how by-laws, rules and regulations are to be hereafter made and enforced; but the corporation may annul, amend or vary such by-laws, rules and regulations at any general or special meeting, or in such other manner as may be provided by the constitution, by-laws, rules and regulations to be made as aforesaid, but all such by-laws, rules and regulations, and every repeal, amendment or re-enactment thereof shall have the approval of the Governor-in-Council.

7. The corporation shall have a president, a vice-president, a secretary, a financial secretary and a treasurer; and these shall be elected semi-annually at such time or times as may be fixed by regulation or by-law. These officers, together with fifteen other members of the club, shall constitute its board of directors, and shall also constitute its executive committee; and of this board or committee, five shall form a quorum. Such board of directors, or executive committee, shall have the direct and immediate control of the affairs and business of the club, subject to this Act; and any other officers deemed necessary or desirable by the directors may be appointed by them, and the directors may prescribe the duties of all officers. ^{Officers.}

8. The three corporators first above named in section 1 of this Act, may call a meeting of all the corporators at any time after the passing of this Act, and such meeting may be continued or adjourned from time to time, as may be deemed necessary or convenient; and at such meeting or ^{Who may call meeting.}

meetings the votes and acts of a majority of those present shall be valid, and binding on all concerned.

Provisional
directors.

9. Until the club shall have been organized under this Act, and until officers (including directors), shall have been appointed, the twenty persons whose names are first above mentioned in section 1 of this Act (being the persons who are now the executive committee of the partnership or association known as the Catholic Men's Club, at Sydney, aforesaid), shall be provisional directors of the corporation by this Act created, and shall act as a board of directors and as the executive committee; and shall, until their successors are appointed, conduct and administer the affairs and business of the corporation; and all acts, matters and things that shall be done by a quorum of the provisional directors, their appointees, agents or servants, while in office, shall be valid and binding upon all the corporators and other persons concerned.

Qualification
of members.

10. To become or to be elected members of the club, applicants must be Roman Catholics in good standing, and must comply with any other condition, precedent or qualification that may be prescribed by the constitution, by-laws, rules and regulations of the corporation. The corporation, however, may by its constitution, by-laws, rules and regulations, or by resolution of the directors or otherwise, admit Protestant gentlemen or other non-Catholics, to any or all of the privileges of the club, as "privileged" or "honorary" or "temporary" members, but only regular members shall be entitled to vote or to take part in meetings.

Quorum.

11. At regular or general meetings of the club, eleven members shall be a quorum; at special meetings, seven.

Title to property
vested.

12. Immediately after the passing of this Act the right and title to the furniture and other property previously owned or possessed by the partnership or association known as the "Catholic Men's Club," in the city of Sydney aforesaid, shall be vested in the corporation hereby created.

Chapter 205,
Acts 1902,
repealed.

13. Chapter 205 of the Acts of 1902, (2 Edward VII., chapter 205,) entitled: "An Act to incorporate the Sydney Catholic Men's Club," is hereby repealed.

CHAPTER 173.

An Act to incorporate the Centreville Hall Company.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. May purchase and hold property.
4. Real estate vested.
5. General powers.

SECTION.

6. Directors.
7. Capital.
8. Limited liability.
9. By-laws.

Be it enacted by the Governor, Council, and Assembly, as follows :—

1. Frederick M. Dakin, fisherman ; William M. B. Dakin, farmer ; Israel H. Hersey, fisherman ; Tuttle D. Graham, blacksmith ; and Edward D. Wescott, clerk, all of the village of Centreville, in the county of Digby, and their associates, are hereby constituted a body corporate, under the name of "Centreville Hall Company," hereinafter referred to as "the company."

2. The object of the company shall be to build, acquire and own a public hall in the village of Centreville aforesaid, and such other property, equipment and fittings as may be necessary for the purposes of the company.

3. The company may purchase, acquire, lease and hold real and personal property as shall be necessary and proper for the purposes of the company, and from time to time may sell, convey, mortgage or lease and let for hire, or otherwise, as may be required and may accept, hold and manage all such gifts, legacies and bequests as may at any time be given or made to the company.

4. Upon the passing of this Act, the real estate conveyed to the Centreville Hall Company by George A. Holmes, by deed dated 2nd November, A. D., 1903, and duly registered in liber 88, folios 310 and 311 of the registry of deeds for said Digby county, and all other property, both real and personal, held by or for the said Centreville Hall Company, so-called, shall vest in and become the property of the company.

5. The company may sue and be sued, and may prosecute and defend suits, and shall have power to make such contracts as may be necessary for the purposes of the company.

Directors.

6. The company shall be governed and managed by a board of directors, five in number, to be selected at the annual meeting of the company from the shareholders thereof, under the provisions of the by-laws to be made and adopted as herein provided. The directors shall select one of their number to be president and one to be vice-president. They shall also appoint a secretary-treasurer, and the said board shall have power to transact all the business of the company. Until the said directors are regularly appointed at a meeting of the shareholders of the company, the five persons named in section one of this Act shall be the provisional directors of the company.

Capital.

7. The capital stock of the company shall be one thousand dollars, divided into two hundred shares of five dollars each.

Limited liability.

8. No member or director of the company shall be liable for the debts or liabilities of the company to a greater amount in the whole than the amount of his or her subscription thereto, unless he shall render himself or herself liable for a greater sum by becoming surety for the debts of the company.

By-laws

9. The company may make and adopt such by-laws for the regulation of its business generally as are not inconsistent with this Act and the laws of the province.

CHAPTER 174.

An Act to incorporate the Tiverton Hall Company.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. Real and personal property.
4. General powers.

SECTION.

5. Board of directors.
6. Capital.
7. Limited liability.
8. By-laws.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Incorporation.

1. Byron Blackford, Herbert Outhouse, Hadley Blackford, J. A. Loomer, John Clifford, Frank Ruggles, and A. Handspiker, all of the village of Tiverton, in the county of Digby, and their successors in office, are hereby constituted

a body corporate under the name of the "Tiverton Hall Company," hereinafter referred to as the company.

2. The object of the company shall be to build, acquire, Objects. and own a public hall in the village of Tiverton aforesaid, and such other property, equipments, and fittings, as may be necessary for the purposes of the company.

3. The company may purchase, acquire, lease, and hold Real and personal property. such real and personal property, as shall be necessary for the proper purposes of the company, and from time to time may sell, convey, mortgage, or lease and let for hire or otherwise, as may be required, and accept, hold, and manage all such gifts, legacies and bequests as from time to time may be given or made to the company.

4. The company may sue and be sued, and may General powers. prosecute and defend suits, and shall have power to make such contracts as may be necessary for the purposes of the company.

5. The company shall be governed and managed by a Board of directors board of directors, seven in number, to be selected from among the shareholders thereof, under the provisions of the by-laws to be made and adopted as herein provided. The directors shall select one of their number to be president, and one to be vice-president. They shall also appoint a secretary-treasurer, and the said board shall have power to transact all the business of the company. Until the said directors are regularly appointed at a meeting of the shareholders of the company, the seven persons named in section one of this Act, shall be the provisional directors of the company. Said provisional directors or any three of them shall call the first meeting of the company at such time and place as they may determine and of which written or printed notice shall be given by mailing the same, postage prepaid and registered, to each shareholder, at least ten days before such meeting, the company may elect all necessary officers and establish by-laws at such, or any subsequent meeting.

6. The capital stock of the company shall be twelve Capital. hundred dollars; to be divided into two hundred and forty shares of five dollars each.

7. No member or director of the company shall be liable Limited liability. for the debts or liabilities of the company to a greater amount in the whole than the amount of his or her sub-

scription thereto, unless he shall render himself or herself liable by becoming surety for the debts of the company.

By-laws.

8. The company may make and adopt such by-laws for the regulation of its business generally as are not inconsistent with this Act and the laws of the province.

CHAPTER 175.

An Act to incorporate the Yarmouth Young Men's Christian Association.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Objects.
3. By-laws.
4. Real and personal estate.

SECTION.

5. Exemption from taxes.
6. General powers.
7. Limited liability.
8. Property vested.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Incorporation.

1. Charles H. Bryant, Percy Hood, Israel H. Goudey, Jacob W. Grant, George C. Crosby, Albert J. Buller, Bradford Hilton, Murray Kelly, J. Clark Robbins, Alexander Ross, Arthur K. VanHorn, Norman Jeffery, Arthur W. Eakins, Edward Viets, James Jenkins and Stilson R. Hilton, and such other persons as are now members of the Yarmouth Young Men's Christian Association, or shall hereafter unite with them under the provisions of this Act, shall be and are hereby created a body corporate under the name of "The Yarmouth Young Men's Christian Association," hereinafter referred to as the association.

Objects.

2. The object of the association shall be the improvement of the spiritual, moral, mental, bodily and social condition of the men and boys of the town of Yarmouth, by the support and maintenance of religious and social meetings, sermons, lectures, a library, reading room and gymnasium, and such other means as may conduce to the accomplishment of this object.

By-laws.

3. The association may adopt such by-laws for the admission and qualification of its members, the choice, power and duty of its officers, and the regulation of its business

generally, as are not inconsistent with this Act or the laws of the province.

4. The association may acquire and hold, real and personal estate, and with the consent in writing of at least a majority of the directors, may sell, mortgage, lease or convey the real estate, which real estate shall not exceed in value forty thousand dollars. Real and personal estate.

5. Such portion of the real estate and personal property of the association as may be exclusively used for the purposes of the association shall be exempt from taxation. Exemption from taxes.

6. The said corporation shall be in law capable of taking, receiving and holding absolutely and in trust for its general uses and purposes, and for any particular department of its work by gift, devise, bequest, grant or purchase, all such real estate, not exceeding in value forty thousand dollars, and such personal property as shall be necessary for the purposes of the association, and of selling and leasing the same; and shall also have the power to issue bonds, and to secure the same by mortgage upon its real estate and its improvements, and causing the same to be signed by the president and treasurer, in pursuance of a resolution of the board of directors to that effect. General powers.

7. No member of the association shall be liable in his person or separate estate for the debts of the association unless he shall have rendered himself liable by becoming surety for the debts of the association. Limited liability

8. All personal property of the Yarmouth Young Men's Christian Association, including any debts due such association, is vested in the corporation hereby incorporated, who may collect, sue for and recover all such debts. Property vested.

CHAPTER 176.

An Act to incorporate the Sydney Mines Young Men's Christian Association.

(Passed the 7th day of April, A. D., 1905.)

SECTION.	SECTION.
1. Incorporation.	5. Board of trustees.
2. Objects.	6. Funds of association.
3. By-laws.	7. Intoxicating drinks not to be used.
4. Real and personal estate.	8. Exemption from taxes.

Be it enacted by the Governor, Council, and Assembly, as follows :

- Incorporation.** 1. Angus Stewart, John Johnston, Joseph Wood, Theodore Soder and F. B. Dunlap, and such other persons as are now members of the "Sydney Mines Young Men's Christian Association," or shall hereafter unite with them under the provisions of this Act, shall be and are hereby created a body corporate, under the name of the "Sydney Mines Young Men's Christian Association," hereinafter referred to as the "association."
- Objects.** 2. The objects of the association shall be the improvement of the spiritual, moral, mental, and social condition of the young men of Sydney Mines, by the support and maintenance of religious and social meetings, sermons, lectures, a library, a reading room, and such other means as may conduce to the accomplishment of this object.
- By-laws.** 3. The association may adopt such a constitution and by-laws for the admission and qualification of its members, the choice, power and duty of its officers, and the regulation of its business generally, as are not inconsistent with this Act or the laws of the province.
- Real and personal estate.** 4. The association may acquire and hold, real and personal estate, and with the consent, in writing, of at least a majority of the trustees and of the general committee, may sell, mortgage, or convey the real estate, which real estate shall not exceed the value of five thousand dollars.
- Board of trustees.** 5. The real estate of the association, together with all devises of real estate hereinafter made, shall be managed by a board of trustees, each of whom shall be a member in good standing of one of the evangelical churches, and each of said evangelical churches or denominations shall be

represented on said board of trustees as well as circumstances will allow. Angus Stewart, John Johnston and Joseph Wood, are hereby created such a board of trustees, and vacancies shall be filled in such a manner as the constitution of the association may provide.

6. Any increase arising from the real estate, after deducting payment for interest, insurance, and necessary repairs, shall be devoted to the purposes of the association, and shall be paid by the board of trustees as the association may direct. Funds of association.

7. No intoxicating drinks shall be sold or used, nor games of chance allowed, in any part of the property of the association. Nor shall such property be used for any purpose inconsistent with the objects of the association as stated in this Act. Intoxicating drinks not to be used.

8. Such portion of the real estate of the association as may be exclusively used for the purposes of the association, shall be exempt from taxation. Exemption from taxes.

CHAPTER 177.

An Act to exempt Salvation Army Rescue Homes from Taxation.

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Exemption from taxes.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Any and all real property and the buildings thereon used or occupied as a rescue home, so called, by the Salvation Army, and any and all personal property used in connection with any such rescue home, in the province of Nova Scotia, shall, whilst so used or occupied, be exempt from taxation for any purpose, except in respect to sewer or water rates. Exemption from taxes.

CHAPTER 178.

An Act respecting the Registration of a certain Deed from
Gideon I. Wood to Benjamin Wood.

(Passed the 7th day of April, A. D., 1905.)

SECTION.
Preamble.

SECTION.
1. Deed validated.

Preamble.

Whereas, by deed bearing date the 6th day of September, A. D., 1892, recorded in the registry of deeds for the registration district of King's county, Gideon I. Wood conveyed to one Benjamin Wood, certain lands situate in King's county;

And whereas, said deed was witnessed by one "I. Morise;"

And whereas, said "I. Morise" is absent from the province of Nova Scotia, and his whereabouts cannot be discovered;

And whereas, the said Gideon I. Wood has departed this life and said deed has been lost;

And whereas, the signature and handwriting of the said Gideon I. Wood to the said deed was proved by the affidavit of Rachael C. Wood, as required by section 12 of chapter 84 Revised Statutes, fifth series, then in force, which said affidavit omitted to state the absence from the province of Nova Scotia of the witness to said deed;

Be it enacted by the Governor, Council, and Assembly, as follows:—

Deed validated.

1. The entry and copy in the registry of deeds for King's county, in book 61, page 413, of a certain deed between Gideon I. Wood and Benjamin Wood, dated the sixth day of September, A. D., 1892, shall be a valid and effective registry of such deed for all purposes, notwithstanding any non-compliance with the provisions of any Act now or heretofore in force respecting the registry of deeds.

CHAPTER 179.

An Act to vest certain real estate in Fuller Lodge, No. 5,
Independent Order of Oddfellows.

(Passed the 7th day of April, A. D., 1905.)

SECTION.
Preamble.SECTION.
1. Property vested.

Whereas, Alexander Murison, of the city of Halifax, merchant, and Elizabeth Margaret Murison, his wife, did, by deed bearing date the 17th day of February, A. D. 1859, convey to one James Wilson, of the Albion Mines, in the county of Pictou, Innkeeper, certain lands and premises situate on the west side of the East River of Pictou, in said county, particularly described in said deed as duly recorded in the office of the Registrar of Deeds at Pictou in said county, in book 46, page 11 ;

And whereas, the said James Wilson did, by writing under his hand and seal, bearing date the 17th day of March, A. D. 1859, and recorded in the office of the Registrar of Deeds aforesaid, in book 46, page 12, acknowledge and declare that he held the land and premises described in the above mentioned deed in trust for the members of Fuller Lodge, No. 5, I. O. O. F., located at Albion Mines aforesaid, and did agree and bind himself and his heirs to make and execute a deed of the said property to the said body or lodge when incorporated ;

And whereas, the said lodge was in the year A. D. 1860 incorporated by Act of the Legislature of Nova Scotia, and the said James Wilson has, since the making of the said declaration of trust, died, and the whereabouts of the heirs unknown ;

Be it therefore enacted by the Governor, Council, and Assembly, as follows :—

1. All the estate, right, title and interest conveyed or intended to be conveyed to the said James Wilson by said deed from Alexander Murison and Elizabeth Margaret Murison, his wife, in all that lot of land and premises hereinafter described, that is to say, all that certain lot of land situate, lying and being on the west side of the East River of Pictou, in the county of Pictou, abutted, bounded and described as follows, that is to say : Beginning on the

east side of the main road leading from the Albion Mines, up the west branch of the said East River at the north-west corner of a lot sold by the said Alexander Murison to Donald Gray, forty feet from the south-west corner of a lot sold by one Alexander Chisholm to John McBride, and running thence northwardly along the east side of the said main road fifty feet; thence easterly at a right angle with the east side line of the said road until it comes to a lot owned by the said Donald Gray; thence southerly along the front or west line of the said last mentioned lot fifty feet, to the north-east corner of the said lot sold by the said Alexander Murison to the said Donald Gray; and thence westerly along the north line of the same to the place of beginning; with all and singular the houses, buildings, ways, waters, water courses, privileges and appurtenances to the said lot of land and premises belonging or in anywise appertaining, is hereby vested in Fuller Lodge, No. 5, Independent Order of Oddfellows.

CHAPTER 180.

An Act to incorporate Harbor Light Lodge Independent Order of Oddfellows, of Wood's Harbor, Shelburne County.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Incorporation.
2. Real and personal estate.

SECTION.

3. Power to collect arrears.
4. Private rights not affected.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Incorporation.

1. P. W. Stoddart, Colin C. Nickerson, Sylvanus Nickerson, Arthur Goreham, Sr., Frank Mood, and such other persons as are or shall become members of the lodge hereby incorporated according to the rules and by-laws thereof, are created a body corporate by the name of "Harbor Light Lodge, No. 91, Independent Order of Oddfellows," for the purpose of holding the property and managing the affairs of the lodge aforesaid.

Real and personal estate.

2. All the personal and real estate in which the said lodge has any right, title or interest, and all property held by any person in trust for the said lodge, and all debts and

claims due the said lodge, are hereby vested absolutely in the corporation hereby created, which may purchase, take and hold real estate not exceeding in value the sum of ten thousand dollars, and may sell, mortgage, lease, convey or otherwise dispose of the same for the benefit of the said lodge.

3. The corporation may collect all arrears due it, or to become due under the by-laws of the lodge. Power to collect arrears.

4. Nothing herein contained shall affect private rights other then hereinbefore stated. Private rights not affected.

CHAPTER 181.

An Act to incorporate the Sydney Carnival Association.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Powers.
3. Donations.
4. Subscriptions.
5. Executive committee.

SECTION.

6. Capital.
7. Directors.
8. Affairs, how administered.
9. Limited liability.
10. Business, when commenced.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. Frederick A. Crowell, E. LeRoi Willis, Albert D. Ingraham, Frank C. Bezanson, Albert W. Cruise and Samuel P. Challoner, all of Sydney, in the county of Cape Breton, and such other persons who may hereafter become shareholders in the said association and their successors, are hereby constituted a body corporate under the name of "The Sydney Carnival Association." Incorporation.

2. The said association shall have power to hold carnivals, regattas, sports, races, concerts, public celebrations and exhibitions in the city of Sydney from time to time; and to purchase, lease or otherwise acquire lands and use real estate and personal property for such purposes, to erect buildings, to let, sell, mortgage, or dispose of any property, franchises or rights which it may at any time own, and to do all other things (not inconsistent with the laws of the province) which may be necessary or useful for the purposes aforesaid or any of them. Powers.

Donations.

3. The association is empowered to receive grants, donations or subscriptions from the city council of Sydney, the council of any town or municipality or from any corporation or person for the purposes of the association.

Subscriptions.

4. All sums of money remaining in the hands of the persons named in the first section of this Act, which have been paid to them as subscriptions in aid of a summer carnival in the city of Sydney, are hereby vested in this association.

Executive committee.

5. The association shall have power to appoint an executive committee or board of directors for the management of the affairs of the association.

Capital.

6. The capital stock of the association shall be ten thousand dollars, divided into 2000 shares of five dollars each.

Directors.

7. The persons named in the first section of this Act, are hereby constituted the directors of this company until replaced by others duly appointed in their stead.

Affairs, how administered.

8. The directors of the company shall have full power in all things to administer the affairs of the company, and to make or cause to be made for the company any description of contract which the company may by by-law enter into, and may from time to time make by-laws not contrary to law, to regulate the allotment of stock, making of calls thereon, the payment thereof, the issue and registration of certificates of stock, the forfeiture of stock for non-payment, the disposal of forfeited stock, and of the proceeds thereof, the transfer of stock, the declaration and payment of dividends, the number of the directors, their term of service, the amount of their stock qualification, the appointment, functions, duties and removal of all agents, officers and servants of the company, the security to be given by them to the company, their remuneration, and that (if any) of the directors, the time at which and place where the annual meetings of the company shall be held, the calling of meetings, regular and special, of the board of directors and of the company, the quorum, the requirements as to proxies, and the procedure in all things of such meetings, the imposition and recovery of all penalties and forfeitures admitting of regulation by by-law, and the conduct in all particulars of the affairs of the company; and may from time to time repeal, amend or re-enact the same, but every such by-law, and every repeal, amendment or re-enactment thereof, unless in the meantime confirmed at a

general meeting of the company, and in default of confirmation thereat, shall at and from that time only cease to have force, provided always, that one-fourth part in value of the shareholders of the company shall at all times have the right to call a special meeting thereof for the transaction of any business specified in such requisition and notice as they may issue to that effect; but all such by-laws, and every repeal, amendment, or enactment thereof, shall be subject to the approval of the Governor-in-Council.

9. No member or director of the company shall be liable ^{Limited liability.} for the debts or liabilities of the company to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable to the amount unpaid on shares so held by him for any debt or on any contract of the company entered into before the date of such transfer, so as any action in respect thereof, shall be brought within six months after such transfer.

10. The said company may commence business when- ^{Business, when commenced.} ever thirty per cent. of the amount of its capital stock is subscribed, and fifty per cent. of the amount so subscribed is paid up.

CHAPTER 182.

An Act to incorporate the City of Sydney Improvement Association.

(Passed the 7th day of April, A. D. 1905.)

SECTION.

1. Incorporation.
2. Purposes.
3. Members.
4. Board of Directors.
5. Report of directors.
6. Membership committee.
7. Publicity committee.

SECTION.

8. Annual dues.
9. Public meetings.
10. Real and personal property.
11. General powers.
12. By-laws.
13. Limited liability.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Incorporation.

1. John S. McLennan, Henry H. McCurdy, A. E. Nash, Dr. H. W. Black, Charles J. Burchell, S. P. Challoner, Mrs. H. E. Kendall, Mrs. G. H. Duggan, Mrs. James Craigie, all of Sydney, C. B., and their associates, are hereby constituted and created a body corporate under the name of the City Improvement Association of Sydney.

Purposes.

2. The purposes of this Association shall be:—

(1) To bring about such actions on the part of its members and others whom they can influence, as will result in cleanliness and sightliness about their own home grounds and surroundings.

(2) To promote by every possible action and influence the establishment of sanitary and beautiful conditions in and about the community and along the public streets.

(3) To encourage the establishment and maintenance of public parks, reservations, park-drives, open squares and play grounds by which the people may have proper facilities for recreation and pleasure.

(4) To create and foster an interest in the planting and preservation of trees, vines, flowers and shrubs for the beautifying of the home, the highways, the public school grounds and parks of the city of Sydney, and to advocate such laws and regulations as will prevent their mutilation or improper removal and will guard the trimming of trees, that are on or near the public highways or in view from any park or other place of public recreation.

(5) Generally the doing of such other acts as shall tend to benefit and improve the city.

Members.

3. Any person may become a member of the association upon subscribing to the roll of members or handing in his or her name to the secretary for the purpose of enrollment.

Board of directors.

4. The association shall be governed and managed by a board of directors, consisting of a president, two vice-presidents, a secretary, a treasurer, and an executive committee of six. These officers shall be chosen at the annual meeting to be held at such time and place as the executive committee shall appoint, and shall hold office for one year or until their successors are elected. A ladies' committee consisting of five with power to add to their number, shall also

be appointed at the annual meeting, to co-operate with the board of directors.

5. A report of the directors shall be presented at each annual meeting of the association. Report of directors.

6. There shall be a membership committee, consisting of three members to be appointed by the president. It shall give attention to the securing of members for the club and payment of the membership fees and dues. Membership committee.

7. There shall be a publicity committee, consisting of the secretary and of two members to be appointed by the president. It shall be charged with the work of securing the co-operation of the newspapers, periodicals and clergy of the vicinity in furthering the objects of the association and shall endeavor to obtain, prepare and submit regularly for publication such matters as will aid in this object. Publicity committee.

8. The annual dues shall be one dollar except for junior members under fourteen, when they shall be twenty-five cents. Dues paid by school children shall as far as possible be expended on the school grounds under the direction of the association. Annual dues.

9. Public meetings to further the objects of the association may be held as shall be arranged by the executive committee. Public meeting.

10. The association may purchase, acquire, lease and hold real and personal property, not exceeding the sum of ten thousand dollars, and manage all such real estate and personal property as shall be necessary for the purposes of the association, and from time to time may sell, convey, mortgage, or lease the same as may be required, and may accept, hold and manage all such gifts, legacies and bequests as may at any time be given or made to the said association. The association may also act as the trustee for lands given or leased to them in trust. Real and personal property.

11. The association may sue and be sued, and may prosecute and defend suits both at law and in equity, and shall have power to make such contracts as may be necessary for the purposes of the association. General powers.

12. The members of this association convened in general meeting shall have power to make by-laws, rules and regulations for the government of the corporation and the By-laws.

management of its property and the carrying out of its objects, and may from time to time at general meetings called for the purpose, add to, amend, alter and repeal the same, provided that such by-laws shall not conflict with any laws of the province, and the said by-laws, when regularly passed as aforesaid and approved by the Governor-in-Council, shall have the force of law.

Limited liability.

13. No debt shall be contracted by the directors beyond the amount of available means within their control to pay it, and no member of this association shall be liable for the debts of the association beyond the amount of his or her subscription thereto, unless he has made himself liable as surety.

CHAPTER 183.

An Act to amend Chapter 170, Acts of 1889, entitled, "An Act to incorporate the Hillside Cemetery Company of Springhill."

(Passed the 7th day of April, A. D. 1905.)

SECTION 1. Yearly assessment.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Yearly
assessment.

1. Chapter 170, Acts of 1889, is amended by adding after section 4, the following section:—

4. (A.) The trustees and lot owners shall have power at any annual meeting or at any special meeting duly called for the purpose to pass a resolution authorizing a yearly assessment on the lot-holders of a sum not greater than twenty-five cents for each 16 x 16 foot lot, and smaller lots in proportion. Such assessment to be payable to the trustees for the necessary running expenses and for keeping the cemetery in repair, and in addition to the power given by the preceding section.

4. (B.) After the passing of the resolution in the preceding paragraph mentioned, the said assessment shall continue to be payable to the trustees from year to year until duly changed at an annual or special meeting, and may be

recovered by the trustees before a justice of the peace for the county of Cumberland in the same way as an ordinary debt.

CHAPTER 184.

An Act to incorporate the Middle South Cemetery, Company of Lunenburg County.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. General powers.
3. By-law.
4. Power to assess.
5. Exemption from debts.
6. Roads not to be opened.
7. Trustees.

SECTION.

8. Trustees, how elected.
9. Plan.
10. Vacancies, how filled.
11. Annual meeting.
12. Penalty for certain offences.
13. Burial of poor and strangers.

Be it enacted by the Governor, Council, and Assembly, as follows :—

1. Alfred Gerhardt, Daniel Culp, Archibald Himmel-^{Incorporation.}man, Michael Himmelman, Albert T. Mosher and their successors in office, are hereby constituted a body corporate, by the name of the trustees of the "Middle South Cemetery Company of Lunenburg County."

2. The said corporation shall consist of the trustees now ^{General powers.} or hereafter appointed and the lot owners in said cemetery, and shall have all the powers and privileges incident to a corporation, and may take, hold and purchase real and personal estate, and may improve, use, enclose, ornament and sell the same for the purpose of burial. The property conveyed for the purposes of a cemetery by Samuel Conrad and wife to Francis Conrad and others, commonly known as Middle South New Burial Yard, is hereby vested in the said corporation for purposes of a cemetery.

3. The present trustees shall have power to make by-^{By-laws.} laws, rules and regulations, not contrary to the laws of the province, subject to the approval of the majority of the lot owners, for the management and care of the cemetery, for the purchase of additional property, for ornamenting the grounds, for laying out paths and lots, and for the regulation of all matters essential to the management of the cemetery,

and may appoint such officers as they think necessary in that behalf.

Power to assess.

4. The lot owners shall have power to assess themselves ratably in proportion to the number and dimensions of their lots, for money required for the protection and improvement of the cemetery, or for the purchase of additional land, or for the necessary purposes connected with the management of the cemetery, at any meeting called for the purpose, after seven days' notice by posters, posted in three public places in the locality, or at the annual meeting, and such assessment may be recovered before any justice of the peace for the county of Lunenburg, as in the case of an ordinary debt. But no such assessment shall exceed in the whole the sum of two dollars per lot in any one year.

Exemption from debts.

5. The cemetery lots or private lots shall not be taken or sold, either for debts of the corporation or of the individual members thereof.

Roads not to be opened.

6. It shall not be lawful for the municipality of Lunenburg to open roads through the cemetery grounds without the consent of the trustees.

Trustees.

7. The number of trustees shall be five, and those named in the first section of this Act shall be trustees until the annual meeting of the corporation, to be held on the first Tuesday of February, 1906.

Trustees, how elected.

8. The trustees shall be elected annually by a vote of a majority of the lot owners present at the annual or special meeting called for that purpose. No person shall have more than one vote. Any or all of the retiring trustees shall be eligible for re-election.

Plan.

9. The secretary of trustees, who shall be appointed by the trustees, shall keep a plan showing every lot in the said cemetery, with the name of the owner and a list to be subscribed by lot holders, which shall be evidence of the right of each subscriber to participate in the advantages and obligations of the corporation. Said plan shall be prepared under the directions of the trustees and shall show the lots as laid off in said cemetery, with the name of each lot holder indicated thereon, with the number of lot on plan, and name in margin, not on lot.

Vacancies, how filled.

10. In the event of the death, resignation or removal of any of the trustees, a majority of the lot holders present at

any meeting called for that purpose, may elect a trustee or trustees to fill such vacancy.

11. At any annual or special meeting of the corporation, Annual meeting. five other members, together with one or more of the trustees, shall constitute a quorum.

12. Any person who shall wilfully destroy any property in the burial ground of the corporation, whether there Penalty for certain offences. naturally or the work of art, or shall therein play at any game of sport, or commit any nuisance, shall be punished by a fine of not less than four dollars, nor more than forty dollars, or committed to the common jail for the space of not more than sixty days, according to the nature of the offence, and such offender shall also be subject to an action of trespass or damage.

13. The trustees in planning the cemetery shall lay off Burial of poor and strangers. and keep in reserve and in good order a piece of ground for the burial of the poor and strangers, and all graves in such portion of the cemetery shall be marked by a stone or iron stake with a number cut on it, and such number shall be recorded in the books of the company and with it whatever information the trustees may deem advisable to preserve concerning the person there buried.

CHAPTER 185.

An Act respecting the Little Dutch Church and Cemetery.

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Exemption from taxes.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The cemetery and the church thereon situated on the north-east corner of Brunswick and Gerrish streets in the city of Halifax, known as the "Little Dutch Church," and cemetery, shall not, nor shall the owners thereof, be liable for assessments, rates, or taxes of any kind whatsoever levied or to be levied thereon by the city of Halifax, nor for any lien or charge created or to be created under the provisions of chapter 58 of the Acts of 1891, or any Act in Exemption from taxes.

amendment thereof, or any other Act of the Legislature of Nova Scotia, so long as this property is used for no other purpose than as at present and as a cemetery.

CHAPTER 186.

An Act to amend chapter 22, Acts of 1903-4, entitled, "An Act to incorporate the Woodlawn Cemetery Company, of Halifax County."

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Section 3 amended.
2. Section 4 amended.

SECTION.

3. Section 8 amended.

Be it enacted by the Governor, Council, and Assembly, as follows :

Section 3
amended.

1. Section 3 of chapter 22, Acts of 1903-4, is hereby amended by adding after the word "owners" on the fourth line thereof, the words "or holders present at any annual meeting, or any special meeting called for that purpose."

Section 4
amended.

2. Section 4 of said Act is hereby amended by adding after the words "debt" on the tenth line thereof, the words "from any lot owner, or lot holder, or from any heir at law of any deceased lot owner or lot holder."

Section 8
amended.

3. Section 8 of said Act is hereby amended by adding thereto the following, "No lot owner or lot holder shall be eligible to the office of trustee or allowed to vote at any meeting unless he shall have paid all assessments due on lot or lots held by him. Any lot owner or lot holder may be represented by and vote by proxy at any meeting."

4. The foregoing amendments shall be construed as if contained in the Act hereby amended at the time of its passage.

CHAPTER 187.

An Act relating to the Lake Cemetery Company.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Board of trustees.
3. Qualification of members.
4. Land not to be taken in execution.
5. General powers.
6. Funds and improvements.
7. Power to assess.
8. Annual meeting.

SECTION.

9. Roads not to be opened.
10. Exemption from taxes.
11. Funds, how expended.
12. Burial of poor and strangers.
13. By-laws.
14. Penalty for certain offences.
15. Plan.

Be it enacted by the Governor, Council, and Assembly,
as follows:—

1. H. Illsley, H. P. Sweet, J. E. Dunham, R. S. Thorpe ^{Incorporation.} and R. D. Bentley, all of Cornwallis in the county of Kings, Esquires, and their associates, successors and assigns, together with such other persons as may become lot holders in the cemetery to be called The Lake Cemetery, are hereby constituted a body corporate by the name of The Lake Cemetery Company for the purpose of purchasing, maintaining and conducting a burial ground in Lakeville in the said county of Kings, to be held and used as a cemetery forever, and for no other purpose.

2. The affairs of the corporation shall be managed by a ^{Board of trustees.} board of five trustees, to be elected at the annual meeting of the lot holders of the cemetery, by ballot. The trustees shall hold office for one year or until their successors are elected. Vacancies in the board may be filled by election at a special meeting called for that purpose. The trustees shall appoint one of their number as president, and another as secretary-treasurer, who shall keep the books and plans of the cemetery, receive and pay all moneys and submit a statement of the business to the annual meeting or to the trustees when required. The trustees shall serve gratuitously, but the secretary-treasurer shall receive such remuneration as the trustees shall decide to be just. Any or all of the retiring trustees shall be eligible for re-election.

3. Any person owning a lot in this cemetery of not less ^{Qualification of members.} than 256 square feet shall be a member of the corporation but no one shall be eligible to the office of trustee, or be allowed to vote at any meeting of the corporation, until he has paid all lawful claims held against him by the

corporation. No member shall have more than one vote and there shall be no voting by proxy.

Land not to
be taken in
execution.

4. The lands or property of the corporation, shall not be liable to be taken in execution and sold for the debts of the corporation, or for the debts of any of the individual members thereof, but each lot holder may dispose of his own lot to any person by a written transfer signed by him and entered by the secretary on the books of the corporation.

General powers.

5. The corporation shall have power to receive, take, hold, manage or dispose of any real or personal property which may at any time be donated or devised to the corporation for the improvement, enlargement or repair of the cemetery property or any part thereof, subject however, to all trusts, conditions or provisos contained in any will, devise, gift or deed made or given in connection therewith.

Funds and
improvements.

6. Any person owning a lot in the cemetery may fence and improve the same, erect monuments and set out trees and plants thereon, subject to the by-laws of the corporation and the approval of the trustees, but it may be lawful for the trustees to remove any offensive or improper monument or any nuisance with or without notice to the offending parties and to charge the cost of such removal to the lot so relieved.

Power to assess.

7. The corporation shall have power to assess the lot holders ratably in proportion to the value of the lots held by them for any funds they may require for cemetery purposes at a meeting duly called for that purpose and advertised at least three weeks before the date appointed for such meeting by notices signed by the president and secretary, posted in at least four conspicuous places in the vicinity of the cemetery. The assessment so made may be recovered as a private debt due the corporation, but no such assessment shall exceed in the whole the sum of two dollars per lot in any one year.

Annual meeting.

8. The annual meeting of the corporation shall be held on the second Monday in January in each year, but a special meeting may be called at any time by the trustees upon their giving at least five days' previous notice by posters in at least four conspicuous places in the vicinity of the cemetery.

Roads not to
be opened.

9. It shall not be lawful for the municipality of Kings-

or any other authority to open any road through the said cemetery without the consent of the corporation.

10. The property belonging to the cemetery and required for cemetery purposes, shall be exempt from taxation for any purposes except the needs of the cemetery. Exemption from taxes.

11. All funds arising from the sale of lots or from any other source, shall be expended on the cemetery property and towards paying expenses necessary in its management. Funds, how expended.

12. The trustees in planning the cemetery, shall lay off and keep in reserve and good order, a piece of ground for the burial of the poor and stranger, and all graves in such portion of the cemetery shall be marked by a stone or iron stake with a number cut on it, and such number shall be recorded in the books of the company and with it whatever information the trustees may deem advisable to preserve concerning the person there buried. Burial of poor and strangers.

13. The corporation may at any regular meeting, make such rules, regulations or by-laws for the management of its affairs as it may deem advisable or necessary, provided none of such rules, regulations or by-laws, conflict with this Act or the laws of the province. By-laws.

14. Any person who shall wilfully destroy any property in the burial ground of the corporation, whether there naturally or the work of art, or shall therein play at any game of sport, or commit any nuisance, shall be punished by a fine of not less than four dollars, nor more than fifty dollars, or committed to the common jail for a space of not less than sixty days, according to the nature of the offence, and such offender shall also be subject to an action of trespass or damage. Penalty for certain offences.

15. The secretary of trustees, who shall be appointed by the trustees, shall keep a plan showing every lot in the said cemetery, with the name of the owner, and a list to be subscribed by lot holders, which shall be evidence of the right of each subscriber to participate in the advantages and obligations of the corporation; said plan shall be prepared under the direction of the trustees and shall show the lots as laid off in said cemetery, with the name of each lot holder indicated thereon, with the number of lot on said plan, and name in margin, not on lot. Plan.

CHAPTER 188.

An Act to amend Chapter 127, Acts of 1886, entitled, An Act to incorporate the Trustees of the first Baptist Church, Spring Garden Road, Halifax.

(Passed the 1st day of March, A. D., 1905.)

SECTION 1. Section 5 repealed and substituted.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Section 5
repealed and
substituted.

1. Section 5 of chapter 127 of the Acts of 1886, is repealed and the following substituted therefor :

5. Five of the members of the corporation shall constitute a quorum, and the corporation may at any time meet for the despatch of business, but it shall not be competent for them to perform any act touching the interests of the said church without being first directed so to do by the majority of the members of the church present at a meeting regularly called by notice from the pulpit, given on at least two successive Sabbaths previous to the time of holding such meeting, said notice to specify the business to be transacted at such meeting.

2. Section 7 of said chapter is repealed.

CHAPTER 189.

An Act to amend Chapter 98, Acts of 1875, entitled,
An Act to incorporate the Trustees of West
Truro Presbyterian congregation.

(Passed the 1st day of March, A. D. 1905.)

SECTION 1. Name changed.

Be it enacted by the Governor, Council, and Assembly, as follows :—

Name changed.

1. Chapter 98 of the Acts of 1875, is amended by changing the name of the corporation created by said Act from "Trustees of West Truro Presbyterian Congregation,"

to "Trustees of St. Andrew's Church, Truro," and in all statutes, agreements and documents in which "Trustees of West Truro Presbyterian Congregation" is mentioned, said name is authorized to be changed to "Trustees of St. Andrew's Church, Truro."

CHAPTER 190.

An Act to incorporate the Trustees of Union Church, Indian Pond, Lunenburg County.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Trustees.
3. Retiring trustees.
4. By-laws.

SECTION.

5. Property vested.
6. Value of property held.
7. Trustees power to sell restricted.

Be it enacted by the Governor, Council, and Assembly,
as follows:—

1. Albert Young, Jeffery Hyson, Howard Zwicker, ^{Incorporation.} James Heiseler and Amos Wentzell, all of Indian Pond, in the county of Lunenburg, are hereby incorporated under the name of Trustees of Union Church, Indian Pond, hereinafter called "the trustees."

2. The said Union church shall be held and managed by ^{Trustees} the trustees for the purposes of public worship, according to the forms and rules of the Lutheran, Presbyterian, Methodist, Baptist or Church of England denominations, and the trustees shall make arrangements for the religious services of said denominations respectively, after consultation with the ministers or clergymen holding such services.

3. At the annual meeting of the members and adherents ^{Retiring trustees} of said religious denominations, to be held on the first day of January in each year or so soon thereafter as convenient, one trustee shall retire, in the order given in the first paragraph of this Act, and a successor shall be appointed; provided however, that the successor shall be a member or adherent of the same denomination as the retiring trustee. A retiring trustee shall be eligible for re-election.

4. The trustees may make by-laws not inconsistent with ^{By-laws.} the provisions of this Act, for the conduct of their proceed-

ings and for the maintenance and management of the said Union church. A quorum for the transaction of business shall consist of not less than three trustees.

Property vested.

5. All real and personal property now held in trust for the purposes mentioned in this Act, is hereby vested in the trustees, and all the property conveyed to the persons mentioned in the first paragraph of this Act, in trust, by deed dated the 21st day of April, A. D., 1904, is hereby vested in the trustees for such purposes.

Value of property held.

6. The trustees may hold property not exceeding five thousand dollars in value.

Trustees power to sell restricted.

7. No trustee or trustees, nor any of the religious denominations mentioned in this Act, shall have power or authority to sell or transfer his or their rights or interests in any property to any person or persons or religious body or congregation.

CHAPTER 191.

An Act to incorporate the Trustees of St. Luke's Presbyterian Church, Big Glace Bay.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Power to hold property.
3. Property vested.
4. By-laws.
5. Annual meeting.
6. General powers.

SECTION.

7. Vote of congregation in certain cases.
8. Trustees elected.
9. Who may vote.
10. Officers.
11. Quorum.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Incorporation.

1. John Sutherland, Angus Johnston, Norman Robertson, Murdoch Buchanan and Kenneth McRitchie, and their successors in office, are hereby constituted a body corporate in connection with the Presbyterian Church in Canada, by and under the name of "The Trustees of the St. Luke's Presbyterian Congregation of Big Glace Bay."

Power to hold property.

2. Such trustees and their successors in office shall have power to purchase, take, hold and enjoy, real and personal estate to the value of fifty thousand dollars, and may sell,

convey, mortgage, lease or otherwise dispose of the same, and may invest any money that may come into their hands for the use and benefit of the said congregation, subject to the provisions of this Act.

3. All the real and personal property of the said congregation, and all real and personal property now vested in any person or persons as trustees or otherwise, for the use of St. Luke's Presbyterian congregation of Big Glace Bay, including all that lot of land recently conveyed to John Sutherland, Angus Johnston, Norman Robertson, Murdoch Buchanan, and Kenneth McRitchie, trustees of said congregation, by Neil McQueen of Big Glace Bay, farmer, and Annie McQueen, his wife, by deed dated the 18th day of January, A. D., 1905, and recorded in the registry of deeds at Sydney, in the County of Cape Breton, in book 129, pages 518, 519 and 520, is hereby vested in said trustees and their successors in office, for the use and benefit of said congregation. Property vested.

4. The congregation may, at any regular meeting called for that purpose, make by-laws for the further management of the secular affairs of said congregation. By-laws.

5. The annual meeting of said congregation shall be held on the third Monday of January in each and every year, of which meeting notice shall be given during divine service from the pulpit of said congregation on two consecutive Sabbaths next preceding the date fixed for said meeting. Annual meeting.

6. The trustees herein incorporated and their successors in office may, in their corporate capacity, sue and be sued, and may do and perform all and everything necessary in and to the proper and efficient management of the secular affairs of the said congregation, subject to the provisions of this Act. General powers.

7. No real or personal estate shall be either bought, leased, sold, conveyed, mortgaged, or otherwise disposed of, nor shall any action or suit be brought by the said trustees, in their corporate capacity, until authorized so to do by a majority of the members of the said congregation entitled to vote in such matters, at a regular meeting of said congregation called for the purpose of giving such authority, notice of which said meeting shall be given in the manner prescribed for the calling of the annual meeting of said congregation. Vote of congregation in certain cases.

Trustees elected.

8. At the first annual meeting of said congregation, after the passing of this Act, one of the trustees herein incorporated shall retire from office, and at each succeeding annual meeting one of the trustees shall retire, until the whole shall have vacated said office of trustee. Such trustees shall retire in the order in which their names appear in this Act, beginning with the first-mentioned name, and each vacancy caused by such retirement shall be filled by a majority vote of the qualified members of the congregation present at such meeting, and after the whole of the trustees herein incorporated shall have retired from office, then and forever thereafter at each annual meeting the trustee longest in office since his last appointment shall retire, and his place shall be filled as hereinbefore set forth. All such voting shall be by ballot. Nothing in this section contained shall prevent the retiring trustee from being re-elected upon receiving a majority of votes.

Who may vote

9. In matters not affecting the spiritual interests of said congregation, all members and adherents of not less than eighteen (18) years of age, who attend the worship and contribute for the support of the church and its ordinances, shall be entitled to vote.

Officers.

10. The said trustees shall, as soon after the passing of this Act as they can conveniently meet, appoint one of their number to be chairman and one of their number to be secretary of the board, and the said secretary shall keep a proper record of the meeting of the board, and of the business transacted thereat, and of all the real and personal property belonging to the congregation, or which the congregation may hereafter acquire, and the provisions of this section shall continue to apply to and be binding on each successive board of trustees of the said congregation, and all vacancies in the said board, caused by retirement, removal, death, or otherwise, shall be filled forthwith at the regular annual meeting, or at a special meeting called for the purpose, in accordance with the provisions of this Act.

Quorum.

11. Any three of the said trustees shall form a quorum, and may meet and transact all the business appertaining to their office, and all deeds, leases, mortgages, releases and other conveyances of property of the congregation executed by three trustees shall be as valid as if executed by all the trustees herein incorporated, or their successors.

CHAPTER 192.

An Act to amend Chapter 102, Acts of 1885, entitled, "An Act relating to Park Street Presbyterian Church, Halifax."

(Passed the 7th day of April, A. D., 1905.)

SECTION 1. Section added.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The following section is added to chapter 102 of the Acts of 1885:— Section added.

7. Vacancies in the board of managers caused by the death, resignation or incapacity of any manager or otherwise, shall be filled by the remaining managers electing a person or persons qualified for such office as manager until the annual meeting of the congregation.

CHAPTER 193.

An Act to amend Chapter 178, Acts of 1898, entitled, "An Act to incorporate the Managing Committee of the Coburg Road Presbyterian Church, Halifax," and to change the name of said Church.

(Passed the 7th day of April, A. D., 1905.)

SECTION.
1. Name changed.SECTION.
2. Section 1 amended.

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. The name of the congregation heretofore known as the Coburg Road Presbyterian Church, in Halifax, is hereby changed to Chalmers Church, Halifax. Name changed.

2. Section 1 of chapter 178 of the Acts of 1898, is amended by striking out all the words after "congregation" in the fifth line, and inserting in lieu thereof the following words, "heretofore known as the Coburg Road Presby- Section 1 amended.

terian Church, in connection with the Presbyterian Church in Canada, now called Chalmers Church, Halifax, and their successors in office, are hereby created a body corporate under the name of 'The Managing Committee of Chalmers Church, Halifax.'"

CHAPTER 194.

An Act to incorporate the Trustees of St. Paul's Presbyterian Church, Glace Bay.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Incorporation.
2. Corporate members.
3. Property vested.
4. General powers.
5. Misnomer of trustees.
6. Power to hold real estate.
7. Trustees to sue and be sued.
8. By-laws.
9. Annual meeting.
10. Money due congregation.

SECTION.

11. Majority of congregation to control.
12. Trustees, how elected.
13. Officers, how elected.
14. Quorum.
15. Statement at annual meeting.
16. Documents, how executed.
17. Action submitted to congregation.
18. Special meetings.
19. Meetings, how called.
20. Who shall vote at meetings.

Be it enacted by the Governor, Council, and Assembly, as follows:—

Incorporation

1. All persons now belonging to the congregation of "St. Paul's Presbyterian Church, Glace Bay," and all persons who may hereafter join themselves to or become members or adherents of the congregation hereinafter named, are declared to be a Presbyterian congregation in connection with the Presbyterian Church in Canada, and the said congregation shall hereafter be known and called "St. Paul's Presbyterian Church, Glace Bay."

Corporate members.

2 Alex. McDonald, P. Christianson, John H. McVicar, Dan. A. Ferguson, Charles E. McLeod, John Munro and John M. McKenzie, and their successors in office, are hereby created a body corporate under the name of "The Trustees of St. Paul's Presbyterian Church, Glace Bay," and they shall have a common seal bearing the words, "Trustees of St. Paul's Presbyterian Church, Glace Bay."

Property vested.

3. All the property, real and personal, now or at the date of the passing of this Act belonging to the said "St. Paul's Presbyterian Church, Glace Bay," or now or at the passing of this Act vested in any person or persons for the

use and benefit of the said "St. Paul's Presbyterian Church, Glace Bay," and all property, real and personal, which may hereafter be acquired by the said "Trustees of St. Paul's Presbyterian Church, Glace Bay," shall be and the same are hereby vested in the said "Trustees of St. Paul's Presbyterian Church, Glace Bay."

4. Such trustees and their successors in office shall have ^{General powers.} power to take by deed, devise, bequest or otherwise, and purchase, hold and enjoy real and personal property, and may sell, lease, mortgage, convey or otherwise dispose of the same, and may invest any moneys that may come into their hands, for the use and benefit of the said congregation, subject, however, to the provisions of this Act.

5. A misnomer of said trustees in their corporate ^{Misnomer of trustees.} capacity shall not defeat or annul any grant, gift, conveyance, assurance, devise or bequest to said corporation or congregation, whereby any estate or interest was intended to pass to said corporation, or to said corporation for the benefit of any institution under the control of said congregation, provided the intent of the parties shall sufficiently appear upon the face thereof.

6. The said trustees and their successors in office, are ^{Power to hold real estate.} authorized and empowered to hold property, real, personal and mixed, for the use of said congregation, to the value of five hundred thousand dollars (\$500,000).

7. The said trustees in their corporate capacity may sue ^{Trustees to sue and be sued.} and be sued in all matters touching property of said congregation, or in which the said congregation may be interested.

8. The said "St. Paul's Presbyterian Church, Glace Bay," ^{By-laws.} may at the annual meeting or at any regular meeting called for that purpose, make by-laws or regulations for the further management of the secular affairs of the said congregation.

9. The regular annual meeting of the congregation shall ^{Annual meeting.} be held on the third Tuesday of January in each and every year, of which meeting due notice shall be given during divine service from the pulpit of the said congregation on the two Sundays immediately preceding the date of said meeting.

10. The trustees herein incorporated and their succe- ^{Money due congregation.} sors in office may demand, sue for, recover and receive all

moneys or money due to the congregation in any way whatsoever, subject to the provisions of this Act.

Majority of
congregation
to control.

11. No real or personal property shall be either purchased, leased, sold, conveyed, mortgaged, or otherwise disposed of, nor shall any action or suit be brought by said trustees until authorized so to do by a majority of the persons of the said congregation entitled to vote in such matters present at a regular meeting of the congregation called for the purpose of giving such authority, of which meeting due notice shall be given as required for the annual meeting of the said congregation.

Trustees,
how elected.

12. At the first annual meeting of the congregation after the passing of this Act, three of the trustees herein incorporated, shall retire from office, and at the next succeeding annual meeting the remaining four trustees herein incorporated shall retire until all shall have vacated said office of trustee. Such trustees shall retire in the order in which their names appear in this Act beginning with the first three mentioned names, and the vacancies caused by their retirement shall be filled by a majority vote of the qualified members of the congregation present at the annual meeting. In case the place of any of the trustees named in this Act is made vacant by death, removal or otherwise before the annual meeting at which such trustees shall retire, then his place shall be filled by the remaining trustees until the next regular annual meeting, when a successor shall be appointed, but such trustee shall only fill the unexpired term of his predecessor; but after the whole of the members herein incorporated shall have retired from office, then and forever thereafter, at each annual meeting the trustees longest in office since their last appointment shall retire and their places shall be filled as hereinbefore set forth. But nothing in this chapter shall prevent the retiring trustees from being re-elected upon receiving a majority of votes. All such voting shall be by ballot.

Officers,
how elected.

13. The said trustees shall, as soon after the passing of this Act as they can conveniently meet, appoint one of their number to be chairman, and a secretary who shall be the secretary of the congregation and shall be secretary of the board. The said secretary shall keep a proper record of the meetings of the board and of the business transacted thereat, and of all the real and personal property belonging to the congregation, or which the said congregation may hereafter acquire; and the provisions of this section shall

-continue to apply and be binding on each successive board
-of trustees of the said congregation.

14. Four of such trustees shall form a quorum and may ^{Quorum.}
meet for the despatch of business at any time after notice
in writing of the time and place of such meeting having
been given.

15. Said trustees shall present at each annual meeting <sup>Statement at
annual meeting.</sup>
of the church held after the passage of this Act, a statement
of receipts and expenditures during the past year, and a
report of the conditions of the property.

16. All deeds, mortgages, releases, contracts, and other <sup>Documents,
how executed.</sup>
legal instruments made, given, or entered into by the said
trustees requiring a seal, shall be sealed with their corporate
seal, and shall be signed and acknowledged in behalf of the
trustees by the chairman and secretary of the board.

17. Notwithstanding anything contained in this Act, <sup>Action submitted
to congregation.</sup>
the said trustees may, in their corporate capacity,
commence any suit or action, or take any other legal pro-
ceedings where they deem it necessary in the interests of
said congregation to commence immediately any such suit
or action or other legal proceedings, but any such action or
proceedings taken must be submitted to a meeting of said
congregation to be called as soon as convenient after the
commencement of said proceedings.

18. The said trustees or any four of them, may call a ^{Special meetings.}
special meeting of the congregation on giving notice during
divine service from the pulpit of the said congregation on
the two Sundays prior to the date of said meeting, for the
transaction of any business specified in said notice.

19. The secretary of the trustees shall call a meeting of <sup>Meetings,
how called.</sup>
the said trustees on being requested to do so by the chair-
man or any three trustees, or may do so of his own motion.
Notices of all meetings of the trustees shall be in writing
and may be mailed to the last known address of each.

20. In matters not affecting the spiritual interests of <sup>Who shall vote
at meetings.</sup>
the congregation, all members and adherents of not less
than (18) eighteen years of age who attend the worship and
contribute for the support of the church and its ordinances,
shall have the right to vote.

CHAPTER 195.

An Act to enable the Trustees of Chalmers Church,
Halifax, to sell Property.

(Passed the 7th day of April, A. D., 1905.)

SECTION.

1. Authority to sell property.
2. Proceeds, how applied.

SECTION.

3. Conveyances confirmed.
4. Sections 2 and 3, chapter 101, Acts 1875, repealed.

Be it enacted by the Governor, Council, and Assembly,
as follows:—

Authority to
sell property.

1. The trustees of Chalmers Church, Halifax, incorporated by chapter 80 of the Acts of 1871, are hereby authorized and empowered to sell and convey the real and personal property held in trust for the congregation of said church.

Proceeds,
how applied.

2. The proceeds arising from the sale of such real and personal property, shall be applied in such manner and to such purposes as may be determined by the Presbytery of Halifax in connection with the Presbyterian Church in Canada.

Conveyances
confirmed.

3. All deeds and conveyances heretofore made and executed by said trustees, are hereby declared to be valid and effective for the purposes in said deeds and conveyances expressed.

Sections 2 and 3,
chapter 101, Acts
1875, repealed.

4. Sections 2 and 3 of Chapter 101 of the Acts of 1875, are hereby repealed.

INDEX

TO THE

STATUTES OF NOVA SCOTIA,

5° EDWARD VII.,

1905

A

	PAGE.
Acadia Fire Insurance Company; Acts amended.....	251
Amherst, Town of; to borrow money for School Pur- poses	123
Amherst, Town of; to borrow money for extension of Water System	125
Antigonish C. M. B. A. Hall Co.; Act amended.....	321
Antigonish County; Act to borrow money.....	118
Assessment Act; amended	37, 39
Assessors and Assessment in Municipalities; relating to	37

B

Barrington, Municipality of; Act to borrow money for Railway Damages	195
Barrington, Municipality of; to make by-laws respect- ing Wood's Harbor Road	194
Barrington Municipality of; Act to Guarantee Bonds of the Cape Island Ferry Co... ..	196
Bear River Steamship Co.; Act to incorporate.....	245

	PAGE.
British American Coal and Railway Co.; Act to incorporate	210
Buller Lodge, No. 31, P. W. A.; Act to incorporate ..	322

C

Cape Breton Coal, Iron and Railway Company, Ltd.; Act amended	208
Cape Breton County; Act to borrow money to pay Smallpox Account.....	111
Cape Breton County; Act to borrow money to Build an Asylum for Harmless Insane	112
Cape Breton County; Act of present session to bor- row money, amended.....	115
Cape Breton County; Act to borrow money by reso- lution of Council	115
Cape Breton County; Act to legalize and confirm Findings of Commission appoint- ed under Chapter 74, Acts of 1903-4	116
Cape Breton Northern Railway Co., Limited; Act to incorporate, amended.....	208
Cape Breton Stock Co.; Act to incorporate.....	283
Centreville Hall Co; incorporated.....	333
Chalmers' Church, Halifax; Act to sell property....	366
Chapman Double Ball Bearing Company of Canada, Limited; Act to incorporate, amended	311
Chester, Town Plot of; Act respecting Streets.....	175
Chester, Town of; Respecting a street in the Town Plot of.....	180
City Compulsory School Act; amended.....	72
Civil Government; Expenses of	58
Coal Mines Regulation Act; amended	24, 25
Coburg Road Presbyterian Church; Act to incorpor- ate Trustees, amended.....	361
Coroners Act; amended	43
Counsel for Criminal Proceedings; Act amended....	8
Court House, Halifax; Act to vest in Commissioners, amended	80
Cranberries, Protection of; Act amended	55
Cumberland Telephone Co.; Act to incorporate, amended	268

D

Dartmouth, Town of; consolidation Act, amended	84
Davison Tramway Co.; incorporation Act, amended ..	222
Dental Act; amended	46
Desjardins & Company's French Club; Act to incorporate	318
Digby, Town of; Act to provide for payment of School Moneys	133

E

Eastern Extension Railway Land Damages; respecting refund of	5
Education Act; amended	30
Education of the Blind; Act amended	31
Election Act, Nova Scotia; amended (2)	32
Empire Trust Company, Limited; Act to incorporate, amended	250

F

Farmers' Mutual Fire Insurance Company, Pictou County; Act respecting	252
First Baptist Church, Halifax, Trustees of; Act amended	356
Fishermen's Unions; Act for the organization of	50
Franchise Act, Nova Scotia; amended	35
Franchise, Electoral; Act amended	33
Freeport Common; Act to confirm the sale of	135
Fuller Lodge, I. O. G. T.; Act to vest certain property	341

G

Game Act; amended	47
Gazette Publishing Co.; Act to incorporate the	279
Glance Bay Club; Act to incorporate	319

	PAGE.
Glace Bay, Town of; Act to borrow money.....	97
Glace Bay, Town of; to appoint a Board of Assessors.	108
Glace Bay, Town of; Act to assist in obtaining names of persons liable for Poll Tax....	110
Glace Bay, Town of; Act to legalize and confirm re- vised list of Voters and Assess- ment Roll for 1905.....	109
Glace Bay, Town of; Act to borrow money, amended.	100
Glace Bay, Town of; Partial system of Sewerage, Act amended	108
Glace Bay, Town of; Act relating to the extension of Water supply.....	101
Glace Bay extension Water Debentures; Act to guarantee	8
Gold River Mines and Power Co.; to incorporate	223
Grand Jurors for Hants County; Panel legalized....	144

H

Halifax Amateur Boating Club; incorporated.....	320
Halifax and South Western Railway Company and the Halifax and Yarmouth Rail- way Company, Limited, and the Middleton and Victoria Beach Railway Co., Limited; Act relat- ing to.....	1
Halifax, City of; consolidated Fund for the.....	73
Act in relation to the.....	65
Act to borrow money (long term Debentures)	71
Act to borrow money (short term Debentures)	70
Liquor License, Act for the	78
Act relating to second Medical Offi- cer, amended.....	81
Halifax, County of; Assessment of Manufacturing In- dustries in the.....	82
Halifax, County of, Highway Labor in the; Act amended	83
Hamilton Marsh; Act to permit the overflow of....	120
Hantsport, Town of; Act to provide with Water....	135
Harbor Light Lodge, I. O. O. F., Woods Harbor....	342

Hillside Cemetery Company; Act amended	PAGE. 348
Humphrey's Glass Works; to exempt from taxation	296

I

Immigrant and Orphan Children; Act amended.....	53
Inverness, County of; to borrow money for District of Strathlorne.....	165
Inverness, County of; to borrow money to pay Rail- way Damages.....	160
Inverness, County of; to provide Aid for a Railway in	161
Inverness, Town of; Act to legalize List of Voters and election of Town Council	157
Inverness, Town of; Act to confirm Assessment Roll and Rate Book	158
Inverness, Town of; to borrow money for School purposes	146
Inverness, Town of; to supply with water	148

J

Judicature Act; amended	27
Jury Act; amended	28
Jury Panels, Assessment Rolls and Revisers' Lists for 1905; Act to legalize.....	29

K

Keutville, Town of; Acts relating to the.....	165, 166
Kings Mutual Fire Insurance Company; respecting..	253

L

LaHave Marine Insurance Company, Limited; Act re- specting.....	254
Lake Cemetery Company, Kings County.....	353
Library Associations and Institutes; Act amended..	57

	PAGE.
Liquor License Act; amended.....	45
Little Dutch Church and Cemetery; Act respecting the	351
Liverpool, Town of; Act to borrow money, amended..	184
Liverpool, Town of; Act to supply Water, amended..	187
Liverpool, Town of; Additional Act for supplying Electric Light, amended	186
Loan Corporations; Act relating to, amended	45
Local Hospitals; Act amended	17
Lunacy Act, Tho; amended	46
Lunenburg Marine Insurance Company, Limited; Act to incorporate, amended	259

M

Maritime Loan and Mortgage Co.; Act to incorporate	273
Mechanics' Lien Act; amended	42
Mechanics' Store Co.; Act to incorporate	312
Middle South Cemetery Company of Lunenburg County; Act to incorporate....	349
Midland Railway Company, Limited; Act respecting sale of	206
Mines and Minerals; Act amended	26
Minudie Coal Co.; Act to incorporate, amended	232
Municipal Act, The; amended	40
Mutual Insurance Companies; Act amended	56

N

North Sydney, Town of; Act to borrow money	93
North Sydney; Act to grant a Bonus and Exemption to Marine Railway	95
Nova Scotia Companies' Act; amended	18
Nova Scotia Eastern Railway; Act relating to	205
Nova Scotia Fire Insurance Company; Act amended.	251
Nova Scotia Hospital; Act amended	9
Nova Scotia Northern Railway Company; Act amended	209
Nova Scotia Steel & Coal Company; relating to	235
Nova Scotia Franchise Act, The; amended	34, 35

O

Oakland Common, Lunenburg County; Act relating to	169
Offences against Religion; Act relating to	55
Old English Fertilizers Company; incorporated	300
Oxford, Town of; Act to enable Town to take property of Fire Commissioners	128

P

Park Street Church, Halifax; Act relating to, amended	361
Pictou Smelting Company; Act to incorporate the..	236
Pictou, Town of, Electric and Gas Plant; Act amended	181
Port Hood, Richmond Coal & Railway Company; Act amended	234
Port Hood, Town of; Assessment legalized	160
Port Hood, Town of; Act to borrow money, amended	159
Pugwash Fire District; to define the boundaries of the	131

Q

Queen's, County of; Act to borrow money for railway damages, amended	189
--	-----

R

Railways Act; amended	6
Rhodes, Curry & Co.; Act to incorporate, amended..	298

S

School Section No. 57, Randville, Kings County; Act to sell certain lands	167
---	-----

	PAGE.
School Section No. 15, Lunenburg County; Act to borrow money.....	174
School Section No. 69, Lunenburg County; Act to borrow money.....	172
School Section No. 13, Pictou; Act to borrow money	182
School Section No. 69, West L'Ardoise, Richmond County; Act to borrow money..	189
School Section No. 19, Shelburne County; Chap. 170, Acts of 1903, amended.....	194
School Section No. 1, Baddeck; Act to borrow money.....	199
Salvation Army Rescue Homes; Act to exempt from taxation.....	339
Seed Grain; Act to enable Municipalities to supply..	6
Settlement in Cape Breton County; name changed..	118
Settlement in Halifax County; name changed.....	81
Settlement in Richmond County; name changed....	190
Shelburne, Municipality of; Act to borrow money for Railway Damages.....	191
Shelburne, Municipality of; Act to make By-laws respecting Streets.....	193
Shelburne, County of; Act to create a Police Division in.....	192
Sheriff's Act, The; amended.....	44
Smith's Island and Seal Island, Inverness County; to provide a Polling Place.....	164
South Sea Sealing Company, Limited; Act to incorporate, amended.....	298
Springhill, Town of; to borrow money.....	132
Stillman Mineral Springs Co.; Act to incorporate the	291
Stipendiary Magistrates, Of; Act amended.....	18
St. Luke's Presbyterian Church, Big Glace Bay; Act to incorporate Trustees.....	358
St. Paul's Presbyterian Church, Glace Bay; to incorporate Trustees of.....	362
St. Patrick's Branch League of the Cross, Bridgeport; incorporated.....	323
St. Patrick's Branch League of the Cross, Sydney; incorporated.....	326
St. Peters to Louisburg Railway; Act to authorize aid in construction of.....	4
Sydney Carnival Association; Act to incorporate...	343
Sydney Co-operative Society Limited; Act to incorporate.....	315
Sydney, City of; Improvement Association, Act to incorporate.....	345

	PAGE.
Sydney Lyceum Club; Act to incorporate.....	329
Sydney, City of; Act to incorporate, amended.....	86
Sydney, City of; exemption of Canada Nail & Wire Works Company from taxes....	93
Sydney, City of; Act to confirm Assessment Roll and Rate Book of	91
Sydney, City of; Assessment of the Dominion Coal Company in the.....	92
Sydney Mines, Y. M. C. A.; Act to incorporate	338

T

Tancook Island, roads on; Act respecting.....	171
Thompson, A. C. Company, Limited; Act to incorpor- rate	312
Tiverton Hall Co.; Act to incorporate	334
Towns' Incorporation Act; amended	40
Truro Knitting Mills Co.; relating to the Assessment of	297
Truro, Town of; to borrow money (2)	120
Truro, West Presbyterian Congregation; Act amended	356
Trust Companies, of certain; Act amended	56

U

Union Church, Indian Pond; Act to incorporate trus- tees of.....	357
Union Printing Co.; Act to incorporate.....	269
Union Telephone Company, Limited; Act to incor- porate	260

V

Victoria, County of; Act to exempt the North River Lumber Company from taxation	198
--	-----

W

West Hants, Municipality of; Commissioners of Streets and Surveyors of High- ways in the.....	145
Wolfville Sewerage Act; amended	168
Wood, Gideon I. to Benjamin Wood; Act respecting Registration of Title.....	340
Woodlawn Cemetery Company; Act to incorporate the, amended	352
Woods, protection of, against fires; Act amended....	20

Y

Yarmouth Young Men's Christian Association; Act to incorporate	336
---	-----



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